

Senate Engrossed

~~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 AND 28-1177, 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.

43 5. "Autocycle" means a three-wheeled motorcycle on which the driver
44 and passengers ride in a fully or partially enclosed seating area that is
45 equipped with a roll cage, safety belts for each occupant and antilock

1 brakes and that is designed to be controlled with a steering wheel and
2 pedals.

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

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

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

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

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

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

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

26 11. "Board" means the transportation board.

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

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

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

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

41 16. "Combination of vehicles" means a truck or truck tractor and
42 semitrailer and any trailer that it tows but does not include a forklift
43 designed for the purpose of loading or unloading the truck, trailer or
44 semitrailer.

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

5 18. "Conviction" means:

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

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

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

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

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

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

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

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

23 23. "Director" means the director of the department of
24 transportation.

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

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

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

31 27. "Dynamic driving task":

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

34 (b) Includes:

35 (i) Lateral vehicle motion control by steering.

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

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

39 (iv) Object and event response execution.

40 (v) Maneuver planning.

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

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

44 28. "Electric bicycle" means a bicycle or tricycle that is equipped
45 with fully operable pedals and an electric motor of less than seven

1 hundred fifty watts and that meets the requirements of one of the
2 following classes:

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

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

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

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

16 (a) Weighs less than thirty pounds.

17 (b) Has two or three wheels.

18 (c) Has handlebars.

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

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

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

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

28 31. "Electric standup scooter":

29 (a) Means a device that:

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

31 (ii) Has two or three wheels.

32 (iii) Has handlebars.

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

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

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

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

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

39 (a) A display on a wireless communication device of a
40 department-generated driver license, nonoperating identification license,
41 vehicle registration card or other official record of the department that
42 is presented to a law enforcement officer or in a court or an
43 administrative proceeding.

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

1 33. "Farm" means any lands primarily used for agriculture
2 production.

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

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

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

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

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

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

21 38. "Gross combined weight rating" means the sum of the gross
22 vehicle weight rating of a motor vehicle and the trailer or semitrailer
23 the motor vehicle tows.

24 39. "Gross vehicle weight rating" means the weight that is assigned
25 by the motor vehicle manufacturer to a motor vehicle and that represents
26 the maximum recommended total weight, including the vehicle and the load
27 for the vehicle.

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

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

39 42. "Implement of husbandry" means a vehicle that is designed
40 primarily for agricultural purposes and that is used exclusively in the
41 conduct of agricultural operations, including an implement or vehicle that
42 uses an automated driving system or that is autonomous or that is
43 self-propelled or otherwise, whether operated manually, equipped with an
44 automated driving system that is not in use or equipped with an automated

1 driving system that is in use, and that meets both of the following
2 conditions:

3 (a) Is used solely for agricultural purposes, including the
4 preparation or harvesting of cotton, alfalfa, grains, specialty crops and
5 other farm crops. For the purposes of this subdivision, "specialty crops"
6 includes fruits, vegetables, tree nuts, dried fruits and horticulture and
7 nursery crops, including floriculture.

8 (b) Is only incidentally operated or moved on a highway whether as
9 a trailer or an autonomous vehicle or a self-propelled unit. For the
10 purposes of this subdivision, "incidentally operated or moved on a
11 highway" means travel between a farm and another part of the same farm,
12 from one farm to another farm or between a farm and a place of repair,
13 supply or storage.

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

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

22 (a) Has a seating capacity not exceeding fifteen passengers
23 including the driver.

24 (b) Provides passenger services for a fare determined by a flat
25 rate or flat hourly rate between geographic zones or within a geographic
26 area.

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

28 (d) May do any of the following:

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

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

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

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

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

39 47. "Minimal risk condition":

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

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

44 48. "Moped" means a bicycle, not including an electric bicycle, an
45 electric miniature scooter or an electric standup scooter, that is

1 equipped with a helper motor if the vehicle has a maximum piston
2 displacement of fifty cubic centimeters or less, a brake horsepower of one
3 and one-half or less and a maximum speed of twenty-five miles per hour or
4 less on a flat surface with less than a one percent grade.

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

10 50. "Motor driven cycle" means a motorcycle, including every motor
11 scooter, with a motor that produces not more than five horsepower but does
12 not include an electric bicycle, an electric miniature scooter or an
13 electric standup scooter.

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

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

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

20 (c) The vehicle seats at least eight passengers, including the
21 driver.

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

24 (e) The vehicle is a commercial motor vehicle as defined in section
25 28-5201.

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

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

30 (h) The vehicle complies with the definition and standards for
31 low-speed vehicles set forth in 49 Code of Federal Regulations sections
32 571.3(b) and 571.500, respectively.

33 52. "Motor vehicle":

34 (a) Means either:

35 (i) A self-propelled vehicle.

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

39 (b) Does not include a scrap vehicle, a personal delivery device, a
40 personal mobile cargo carrying device, a motorized wheelchair, an electric
41 personal assistive mobility device, an electric bicycle, an electric
42 miniature scooter, an electric standup scooter or a motorized skateboard.
43 For the purposes of this subdivision:

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

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

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

18 54. "Neighborhood electric shuttle":

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

21 (i) The vehicle is emission free.

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

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

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

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

31 (vi) The vehicle complies with the definition and standards for
32 low-speed vehicles set forth in 49 Code of Federal Regulations sections
33 571.3(b) and 571.500, respectively.

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

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

40 (a) The vehicle is emission free.

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

43 (c) The vehicle complies with the definition and standards for
44 low-speed vehicles, unless excepted or exempted under federal law, set

1 forth in 49 Code of Federal Regulations sections 571.3(b) and 571.500,
2 respectively.

3 56. "Neighborhood occupantless electric vehicle" means a
4 neighborhood electric vehicle that is not designed, intended or marketed
5 for human occupancy.

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

8 58. "Off-road recreational motor vehicle" means a motor vehicle
9 that is designed primarily for recreational nonhighway all-terrain travel
10 and that is not operated on a public highway. Off-road recreational motor
11 vehicle does not mean a motor vehicle used for construction, building
12 trade, mining or agricultural purposes.

13 59. "Operational design domain":

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

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

18 60. "Operator" means a person who drives a motor vehicle on a
19 highway, who is in actual physical control of a motor vehicle on a highway
20 or who is exercising control over or steering a vehicle being towed by a
21 motor vehicle.

22 61. "Owner" means:

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

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

28 (c) If a mortgagor of a vehicle is entitled to possession of the
29 vehicle, the mortgagor.

30 62. "Pedestrian" means any person afoot. A person who uses an
31 electric personal assistive mobility device or a manual or motorized
32 wheelchair is considered a pedestrian unless the manual wheelchair
33 qualifies as a bicycle. For the purposes of this paragraph, "motorized
34 wheelchair" means a self-propelled wheelchair that is used by a person for
35 mobility.

36 63. "Personal delivery device":

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

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

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

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

1 64. "Personal mobile cargo carrying device" means an electronically
2 powered device that:

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

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

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

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

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

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

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

24 67. "Reconstructed vehicle" means a vehicle that has been assembled
25 or constructed largely by means of essential parts, new or used, derived
26 from vehicles or makes of vehicles of various names, models and types or
27 that, if originally otherwise constructed, has been materially altered by
28 the removal of essential parts or by the addition or substitution of
29 essential parts, new or used, derived from other vehicles or makes of
30 vehicles. For the purposes of this paragraph, "essential parts" means
31 integral and body parts, the removal, alteration or substitution of which
32 will tend to conceal the identity or substantially alter the appearance of
33 the vehicle.

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

38 69. "Right-of-way" when used within the context of the regulation
39 of the movement of traffic on a highway means the privilege of the
40 immediate use of the highway. Right-of-way when used within the context
41 of the real property on which transportation facilities and appurtenances
42 to the facilities are constructed or maintained means the lands or
43 interest in lands within the right-of-way boundaries.

44 70. "SAE J3016" means surface transportation recommended practice
45 J3016 taxonomy and definitions for terms related to driving automation

1 systems for on-road motor vehicles published by SAE international in June
2 2018.

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

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

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

11 72. "Scrap metal dealer" has the same meaning prescribed in section
12 44-1641.

13 73. "Scrap vehicle" has the same meaning prescribed in section
14 44-1641.

15 74. "Semitrailer" means a vehicle that is with or without motive
16 power, other than a pole trailer or single-axle tow dolly, that is
17 designed for carrying persons or property and for being drawn by a motor
18 vehicle and that is constructed so that some part of its weight and that
19 of its load rests on or is carried by another vehicle. For the purposes of
20 this paragraph, "pole trailer" has the same meaning prescribed in section
21 28-601.

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

27 76. "State" means a state of the United States and the District of
28 Columbia.

29 77. "State highway" means a state route or portion of a state route
30 that is accepted and designated by the board as a state highway and that
31 is maintained by the state.

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

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

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

41 (a) Does not primarily operate on a regular route or between
42 specified places.

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

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

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

8 83. "Trailer" means a vehicle that is with or without motive power,
9 other than a pole trailer or single-axle tow dolly, that is designed for
10 carrying persons or property and for being drawn by a motor vehicle and
11 that is constructed so that no part of its weight rests on the towing
12 vehicle. A semitrailer equipped with an auxiliary front axle commonly
13 known as a dolly is deemed to be a trailer. For the purposes of this
14 paragraph, "pole trailer" has the same meaning prescribed in section
15 28-601.

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

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

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

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

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

29 89. "Vehicle":

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

32 (b) Does not include:

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

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

36 (iii) Personal delivery devices.

37 (iv) Scrap vehicles.

38 (v) Personal mobile cargo carrying devices.

39 90. "Vehicle transporter" means either:

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

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

1 or more points and that is capable of carrying a load and drawing a
2 semitrailer.

3 Sec. 2. Section 28-1177, Arizona Revised Statutes, is amended to
4 read:

5 28-1177. Off-highway vehicle user fee; indicia; registration;
6 state trust land recreational permit; exception

7 A. A person shall not operate or allow the operation of an
8 all-terrain vehicle or an off-highway vehicle in this state without either
9 a resident or nonresident off-highway vehicle user indicia issued by the
10 department if the all-terrain vehicle or off-highway vehicle meets both of
11 the following criteria:

12 1. Is designed by the manufacturer primarily for travel over
13 unimproved terrain.

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

16 B. A person shall apply to the department of transportation for a
17 resident or nonresident off-highway vehicle user indicia by submitting an
18 application prescribed by the department of transportation and a user fee
19 for the indicia in an amount to be determined by the director of the
20 department of transportation in cooperation with the director of the
21 Arizona game and fish department and the Arizona state parks board. The
22 resident or nonresident off-highway vehicle user indicia is valid for one
23 year ~~from~~ AFTER the date of issuance and may be renewed. The department OF
24 TRANSPORTATION shall prescribe by rule the design and placement of the
25 indicia.

26 C. When a person pays for a resident off-highway vehicle user
27 indicia pursuant to this section, the person may request a motor vehicle
28 registration if the vehicle meets all equipment requirements to be
29 operated on a highway pursuant to article 16 of this chapter. If a person
30 submits a signed affidavit to the department affirming that the vehicle
31 meets all of the equipment requirements for highway use and that the
32 vehicle will be operated primarily off of highways, the department shall
33 register the vehicle for highway use and the vehicle owner is not required
34 to pay the registration fee prescribed in section 28-2003. This
35 subsection does not apply to vehicles that as produced by the manufacturer
36 meet the equipment requirements to be operated on a highway pursuant to
37 article 16 of this chapter.

38 D. The director shall deposit, pursuant to sections 35-146 and
39 35-147, seventy percent of the user fees collected pursuant to this
40 section in the off-highway vehicle recreation fund established by section
41 28-1176 and thirty percent of the user fees collected pursuant to this
42 section in the Arizona highway user revenue fund.

43 E. The Arizona game and fish department may provide for the
44 purchase of nonresident off-highway vehicle user indicia and may impose an
45 additional service fee in an amount to be determined by the Arizona game

1 and fish commission by rule. The Arizona game and fish department shall
2 deposit, pursuant to sections 35-146 and 35-147, the service fees
3 collected pursuant to this subsection in the game and fish fund
4 established by section 17-261.

5 F. An occupant of an off-highway vehicle with a resident or
6 nonresident off-highway vehicle user indicia issued pursuant to this
7 section ~~who crosses~~ MAY RECREATE FOR THE DAY ON state trust lands AND must
8 comply with all of the rules and requirements under a state trust land
9 recreational permit. All occupants of an off-highway vehicle with a
10 resident or nonresident off-highway vehicle user indicia shall obtain a
11 state trust land recreational permit from the state land department for
12 all other authorized recreational activities on state trust land,
13 INCLUDING FOR OVERNIGHT CAMPING.

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

18 H. In consultation with the department of transportation, the
19 Arizona game and fish department may adopt rules necessary to implement
20 this section.

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

23 28-1182. Off-highway vehicle laws enforcement fund

24 THE OFF-HIGHWAY VEHICLE LAWS ENFORCEMENT FUND IS ESTABLISHED
25 CONSISTING OF MONIES DEPOSITED PURSUANT TO SECTION 28-5801 TO BE USED FOR
26 THE SOLE PURPOSE OF ENFORCING OFF-HIGHWAY VEHICLE LAWS IN THIS STATE. THE
27 ARIZONA STATE PARKS BOARD SHALL ADMINISTER THE FUND. MONIES IN THE FUND
28 ARE CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE PROVISIONS OF
29 SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS. ON NOTICE FROM THE
30 BOARD, THE STATE TREASURER SHALL INVEST AND DIVEST MONIES IN THE FUND AS
31 PROVIDED BY SECTION 35-313, AND MONIES EARNED FROM INVESTMENT SHALL BE
32 CREDITED TO THE FUND.

33 Sec. 4. Section 28-5801, Arizona Revised Statutes, is amended to
34 read:

35 28-5801. Vehicle license tax rate; definitions

36 A. At the time of application for and before registration each year
37 of a vehicle, the registering officer shall collect the vehicle license
38 tax imposed by article IX, section 11, Constitution of Arizona. On the
39 taxpayer's vehicle license tax bill, the registering officer shall provide
40 the taxpayer with information showing the amount of the vehicle license
41 tax that each category of recipient will receive and the amount that is
42 owed by the taxpayer.

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

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

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

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

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

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

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

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

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

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

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

20 3. The minimum amount of the vehicle license tax computed under
21 this section is \$10 per year for each vehicle that is subject to the tax.
22 If the product of all of the rates prescribed in paragraph 1 or 2 of this
23 subsection is less than \$10, the vehicle license tax is \$10. The vehicle
24 license tax collected pursuant to this paragraph shall be distributed to
25 the recipients prescribed in this subsection based on the percentage of
26 each recipient's rate to the sum of all of the rates.

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

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

31 2. On renewal of registration, a onetime vehicle license tax of
32 \$70.

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

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

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

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

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

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

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

3 2. Has an unladen weight of two thousand five hundred pounds or
4 less.

5 F. THE VEHICLE LICENSE TAX FOR AN ALL-TERRAIN VEHICLE OR
6 OFF-HIGHWAY VEHICLE AS DEFINED IN SECTION 28-1171 THAT HAS AN UNLADEN
7 WEIGHT OF MORE THAN TWO THOUSAND FIVE HUNDRED POUNDS BUT LESS THAN THREE
8 THOUSAND FIVE HUNDRED ONE POUNDS IS FIFTY PERCENT OF THE VEHICLE LICENSE
9 TAX DETERMINED PURSUANT TO SUBSECTION B OF THIS SECTION. NOTWITHSTANDING
10 SECTION 28-5808, THE DIRECTOR SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146
11 AND 35-147, ANY VEHICLE LICENSE TAX COLLECTED PURSUANT TO THIS SUBSECTION
12 IN THE OFF-HIGHWAY VEHICLE LAWS ENFORCEMENT FUND ESTABLISHED BY SECTION
13 28-1182.

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

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

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

21 2. "Travel trailer" has the same meaning prescribed in section
22 28-2003.

23 Sec. 5. Rulemaking

24 The director of the department of transportation shall adopt rules
25 not later than twelve months after the effective date of this act for an
26 off-highway vehicle usage classification for all-terrain vehicles or
27 off-highway vehicles that have an unladen weight of more than two thousand
28 five hundred pounds but less than three thousand five hundred one pounds.