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**Biofuels Statutory Citations**

**State of Arizona**

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## Biofuels Statutory Citations

### STATE OF ARIZONA

*This compilation of state statutory citations focuses predominantly on biofuels laws in effect January 1, 1970 through December 31, 2013. It is intended to serve as a researcher-friendly inventory of state laws by providing the formal title of relevant legislation, the standard legal citation for each statute and a brief description of the law. Some statutes and regulations listed do not specifically relate to biofuels, but are included because of their complementary relationship to the evolution of biofuels law in the state.*

<u>Title</u>	<u>Citation</u>	<u>Applicability</u>	<u>Description</u>
Class Six Property (2013)	<a href="#">ARIZ. REV. STAT. ANN. § 42-12006</a>	Biodiesel	Real and personal property and improvements used to manufacture biodiesel from Dec. 31, 2006 through Dec. 31, 2023 are class six for purposes of property taxation.
Use Tax-Exemptions (2012)	<a href="#">ARIZ. REV. STAT. ANN. § 42-5159 (A) 33 &amp; 44</a>	Both	The state use tax does not apply to the following: natural gas or liquefied petroleum gas used to propel a motor vehicle; Alternate Fuel Vehicles manufactured for diesel fuel but converted to operate on alternative fuel; and equipment installed to convert a conventional diesel motor vehicle to operate on alternative fuel.
Imposition of motor fuel taxes (2012)	<a href="#">ARIZ. REV. STAT. ANN. § 28-5606</a>	Both	Alternative fuels are exempted from use fuel tax.
Operation of State Motor Vehicle Fleet; ...; Definitions (2011)	<a href="#">ARIZ. REV. STAT. ANN. § 41-803</a>	Both	A State Vehicle Fleet Alternative Fuel Coordinator should be appointed to oversee statewide alternative fuel implementation plans. For counties with more than 250,000 people, 75% of new light-duty (8,500 pounds or less) vehicle purchases must run on alternative fuels. For counties with more than 1,000,200 people, 70% of new light-duty vehicle purchases must comply with USEPA low emission standards.

Alternative Fuel Special Plates; Stickers; Use of HOV Lanes; Definitions (2009)	<a href="#">ARIZ. REV. STAT. ANN. § 28-2416</a>	Both	Provides for alternative fuel license plates that entitles vehicle to be driven in carpool lanes regardless of number of occupants. State highway system maps should include the locations of public alternative fueling stations.
Official Vehicles; Registration Exemption; Definitions (2009)	<a href="#">ARIZ. REV. STAT. ANN. § 28-2511</a>	Both	Vehicles powered by alternative fuel must have a special license plate, with the exception of certain state-owned and operated vehicles.
Biofuels Conversion Program (2008)	<a href="#">ARIZ. REV. STAT. ANN. § 41-112</a>	Both	The Arizona Biofuels Conversion Program was established in the Governor's Energy Office to encourage the use of biofuels in the state through the distribution of grants to promote the development of fueling infrastructure. The program has a sunset date of July 1, 2015.
Dept of Weights and Measures: Definitions (2008)	<a href="#">ARIZ. REV. STAT. ANN. § 41-2051</a>	Both	Defines biodiesel as a fuel produced from nonpetroleum renewable resources as defined by the U.S. Environmental Protection Agency (EPA), and meets EPA registration requirements for fuels and fuel additives established in Section 211 of the Clean Air Act. E85 is defined as a fuel ethanol gasoline blend that meets ASTM specification D5798.
Standards for Motor Fuels: Exceptions (2008)	<a href="#">ARIZ. REV. STAT. ANN. § 41-2083</a>	Both	The Arizona Department of Weights and Measures must adopt rules to establish and enforce federal standards and ASTM test methods for biofuels and biofuel blends. Fuel providers must comply with these requirements.
Emissions Inspections- Alternative Fuel Vehicles (2006)	<a href="#">ARIZ. REV. STAT. ANN. § 49-542.05</a>	Both	Alternative fuel vehicles registered in, or used to commute into, the metro Phoenix or Tucson areas, are required to have emissions testing before the vehicle can be registered. For new vehicles, or those that are only 4 years old, owners can chose to pay a fee at the time of registration (or renewal) in place of the emissions testing. However, testing will be required before an updated registration is granted in subsequent years.

Operation of Motor Vehicle Fleet; Options to Conventional Fuels (2006)	<a href="#">ARIZ. REV. STAT. ANN. § 15-349</a>	Both	School districts in Maricopa, Pinal, Yavapai, and Pima counties with average student populations of more than 3,000 students must have at least half of their fleet vehicles with a gross weight of 17,500 pounds or more operating on alternative or clean burning fuels.
Emissions Controls; Federal Vehicles (2006)	<a href="#">ARIZ. REV. STAT. ANN. § 49-573</a>	Both	Operators of a U.S. government-owned vehicle fleet based primarily in Arizona must have a plan to increase the use of alternative fuels in these vehicles, with at least 40% of the fleet operating on these fuels. For fleets in counties with more than 1.2 million people, 90% of the fleet must operate on alternative fuels.
General Provisions: Definitions (2004)	<a href="#">ARIZ. REV. STAT. ANN. § 1-215 (4)</a>	Both	Alternative fuel includes fuel that is at least 85% alcohol by volume for vehicles before Aug. 21, 1998, or fuel that is at least 70% alternative and no more than 30% petroleum by volume that meets USEPA low emission standards and is certified to be used in alternative fuel vehicles by the manufacturer.
Clean Burning or Alternative Fuel Requirements for New Buses (2004)	<a href="#">ARIZ. REV. STAT. ANN. § 49-571</a>	Both	Cities, towns, and counties with a county population of over 500,000 people must only purchase buses that use alternative fuel. If these buses are unavailable to purchase, existing buses may be converted to run on this fuel.
Joint Use of Alternative Fuel Refueling Stations (2004)	<a href="#">ARIZ. REV. STAT. ANN. § 49-572</a>	Both	If a state agency or political subdivision operates an alternative fueling station they must permit the fueling of vehicles owned/operated by other state agencies or political subdivisions.
Diesel vehicle low emissions incentive grants; criteria (2002)	<a href="#">ARIZ. REV. STAT. ANN. § 49-551.01</a>	Biodiesel	The department may award incentive grants from the air quality fund for diesel vehicles weighing 17,500 pounds or more to operate on alternative fuel. Program sunsets at the later of either: June 30, 2005 or one year before national standard for diesel sulfur emissions is 15 ppm.
Alternative Fuel Delivery Systems; Standardized Waivers (2002)	<a href="#">ARIZ. REV. STAT. ANN. § 49-412</a>	Both	The state must develop a standard waiver for governmental entities with fleet vehicles in the defined areas of Maricopa, Pinal, Yavapai, and Pima counties to exempt these vehicles from complying with alternative fuel vehicle goals.

Clean burning alternative fuels (2002)	<a href="#">ARIZ. REV. STAT. ANN. § 49-413</a>	Both	The state must develop a network of public refueling stations so the public can have access to alternative fuels throughout the state.
Alternative Fuel Vehicles; Carpool Parking (2000)	<a href="#">ARIZ. REV. STAT. ANN. § 28-877</a>	Both	Alternative fuel vehicles may park without penalty in parking areas that are designated for carpool operators.
Motor Vehicle Powered by Alternative Fuel; Classification; Vehicle License Tax (2000)	<a href="#">ARIZ. REV. STAT. ANN. § 28-5805</a>	Both	The license tax on alternative fuel vehicles is \$4 for every \$100 in assessed value. The assessed value during the first year of registration is 1% of the manufacturer's base retail price, each succeeding year that value is reduced by 15%. The minimum tax amount is \$5 per vehicle.
Regulation of traffic and parking (2000)	<a href="#">ARIZ. REV. STAT. ANN. § 41-796</a>	Both	The department may adopt rules to designate preferential parking for state employees who drive vehicles powered by alternative fuel.
Vehicle Dealer Requirements; Alternative Fuel Vehicles (1999)	<a href="#">ARIZ. REV. STAT. ANN. § 28-4414</a>	Both	Motor vehicle dealers are required to make information on alternative fuel vehicles and state incentives for purchasing or leasing them available to the public.
Area A; sale of gasoline; oxygen content (1999)	<a href="#">ARIZ. REV. STAT. ANN. § 41-2123</a>	Ethanol	All gasoline-ethanol blends sold for the fueling of motor vehicles in a county with 1.2 million people or more shall contain at least 10% ethanol by volume and meet USEPA maximum oxygen percentage levels.
Retail classifications; definitions (1999)	<a href="#">ARIZ. REV. STAT. ANN. § 42-5061</a>	Both	The sales of alternative fuel vehicles that were manufactured as diesel vehicles but have been since converted to operate on alternative fuel are excluded from retail excise taxes.
Disposition of real property by state agency; alternative fuel delivery systems (1994)	<a href="#">ARIZ. REV. STAT. ANN. § 37-802</a>	Both	Unless property is subject to the interests of a previous owner, the state may sell or lease land to another governmental entity without holding a public sale if it will be used for an alternative fuel delivery system.
Vehicle emissions; research; equipment; cost analysis (1994)	<a href="#">ARIZ. REV. STAT. ANN. § 49-553</a>	Both	The department of environmental quality shall conduct research to quantify the effect of alternative fuels on toxic components of vehicular emissions.

Air Quality Control; Definitions (1993)	<a href="#"><u>ARIZ. REV. STAT. ANN. § 9-500.04</u></a>	Both	Governing bodies of cities and towns within Maricopa, Pinal, Yavapai, and Pima counties with a population over 1,200,000 must develop a plan to increase the use of alternative fuel in fleet vehicles, with at least 75% operating on these fuels by 2000.
Additional Board Duties in Vehicle Emissions Control Areas; Definitions (1993)	<a href="#"><u>ARIZ. REV. STAT. ANN. § 49-474.01</u></a>	Both	County supervisors in Maricopa, Pinal, Yavapai, and Pima counties must develop and implement a plan to increase the use of alternative fuel in county fleet vehicles, with at least 75% operating on these fuels by 2000.