

REFERENCE TITLE: **truck routes; designation**

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1097

Introduced by
Senators Carroll: Gowan, Shamp; Representatives Cook, Livingston, Wilmeth

AN ACT

**AMENDING SECTION 28-1106, ARIZONA REVISED STATUTES; RELATING TO VEHICLE
SIZE, WEIGHT AND LOAD.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-1106, Arizona Revised Statutes, is amended to
3 read:

4 28-1106. Restriction on highway usage; definitions

5 A. By ordinance or resolution and for a total period of not more
6 than ninety days in any one calendar year, a local authority with respect
7 to highways under its jurisdiction may prohibit the operation of a vehicle
8 on the highway or may impose restrictions as to the weight of a vehicle to
9 be operated on the highway if the highway by reason of deterioration,
10 rain, snow or other climatic conditions will be seriously damaged or
11 destroyed unless the use of vehicles on the highway is prohibited or the
12 permissible weights of the vehicles are reduced.

13 B. A local authority enacting an ordinance or resolution pursuant
14 to subsection A of this section shall erect or cause signs to be erected
15 and maintained designating the provisions of the ordinance or resolution
16 at each end of that portion of a highway affected by the ordinance or
17 resolution. The ordinance or resolution is not effective until the signs
18 are erected and maintained.

19 C. A local authority with respect to highways under its
20 jurisdiction may prohibit by ordinance or resolution the operation of
21 trucks or other commercial vehicles or may impose limitations as to the
22 weight of vehicles on designated highways. The local authority shall
23 place appropriate signs on the highway to designate the prohibitions and
24 limitations.

25 D. The director has authority as granted by this section to local
26 authorities to determine by resolution and to impose restrictions as to
27 the weight of vehicles operated on a highway under the jurisdiction of the
28 director. The restrictions are effective when signs giving notice of the
29 restrictions are erected on the highway or portion of the highway affected
30 by the resolution.

31 E. NOTWITHSTANDING SUBSECTIONS C AND D OF THIS SECTION, THE
32 DIRECTOR OR A LOCAL AUTHORITY MAY ONLY RESTRICT OR PROHIBIT A VEHICLE OF
33 LEGAL SIZE FROM OPERATING ON A HIGHWAY THAT IS A MAJOR ARTERIAL STREET AND
34 THAT CONNECTS TWO OR MORE LOCAL JURISDICTIONS IF THE DEPARTMENT OR THE
35 LOCAL AUTHORITY CONDUCTS A TEST DRIVE OR APPLIES A VEHICLE TEMPLATE ON THE
36 HIGHWAY THAT SHOWS THAT A VEHICLE OF A LEGAL SIZE MAY NOT SAFELY OPERATE
37 ON THE HIGHWAY.

38 F. IF A VEHICLE OF LEGAL SIZE MAY NOT SAFELY OPERATE ON A MAJOR
39 ARTERIAL STREET, THE DIRECTOR AND LOCAL AUTHORITY MAY NOT GRANT EXCEPTIONS
40 FOR CATEGORIES OR TYPES OR GROUPS OF ROUTES.

41 G. A PERSON MAY REQUEST IN WRITING A REVIEW OF ANY ROUTE
42 RESTRICTIONS FOR VEHICLES OF LEGAL SIZE. THE DIRECTOR SHALL ACT ON ALL
43 REQUESTS WITHIN NINETY DAYS AFTER RECEIVING THE WRITTEN REQUEST. IF THE
44 DIRECTOR DETERMINES THAT A VEHICLE OF LEGAL SIZE CAN OPERATE SAFELY ON A

1 MAJOR ARTERIAL STREET, THE LOCAL JURISDICTION MAY NOT RESTRICT THAT
2 ARTERIAL STREET.

3 H. FOR THE PURPOSES OF THIS SECTION:

4 1. "MAJOR ARTERIAL STREET":

5 (a) MEANS AN ARTERIAL STREET AS DEFINED IN SECTION 28-6531.

6 (b) INCLUDES:

7 (i) A PRINCIPAL ARTERIAL STREET.

8 (ii) ANY ARTERIAL STREET IF A LOCAL AUTHORITY DOES NOT DISTINGUISH
9 BETWEEN MAJOR AND MINOR ARTERIAL STREETS.

10 (iii) ANY ARTERIAL STREET THAT HAS ACCESS TO A FREEWAY, CONTROLLED
11 ACCESS HIGHWAY OR THE NATIONAL HIGHWAY SYSTEM.

12 (iv) ANY ARTERIAL STREET THAT HAS A BRIDGE ALONG ITS ROUTE.

13 (v) ANY ARTERIAL STREET THAT IS DESIGNATED AS A MAJOR ARTERIAL
14 STREET IN AN ADJOINING JURISDICTION.

15 2. "VEHICLE OF LEGAL SIZE" MEANS A VEHICLE THAT COMPLIES WITH THE
16 LIMITATIONS SET FORTH IN ALL OF THE FOLLOWING:

17 (a) SECTION 28-1093, SUBSECTION C.

18 (b) SECTION 28-1094.

19 (c) SECTION 28-1095, SUBSECTIONS A AND B UNLESS EXEMPT PURSUANT TO
20 SECTION 28-1095, SUBSECTION D.

21 (d) SECTION 28-1095, SUBSECTION C, PARAGRAPHS 1, 2, 3 AND 4 UNLESS
22 EXEMPT PURSUANT TO SECTION 28-1095, SUBSECTION D.

23 Sec. 2. Local ordinances; highway use; conflict; repeal;
24 amend; invalid

25 A local authority that passed an ordinance before the effective date
26 of this act that is inconsistent with section 28-1106, Arizona Revised
27 Statutes, as amended by this act, shall repeal or amend the ordinance to
28 comply with this act within ninety days after the effective date of this
29 act or the ordinance is invalid.