

Senate Engrossed  
truck routes; designation

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

# SENATE BILL 1097

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, FOR  
32 ORDINANCES OR RESOLUTIONS THAT ARE ENACTED PURSUANT TO THIS SECTION ON AND  
33 AFTER JANUARY 1, 2020 THE DIRECTOR OR A LOCAL AUTHORITY MAY ONLY RESTRICT  
34 OR PROHIBIT A VEHICLE OF LEGAL SIZE FROM OPERATING ON A HIGHWAY THAT IS A  
35 MAJOR ARTERIAL STREET THAT CONNECTS TWO OR MORE LOCAL JURISDICTIONS IF THE  
36 DEPARTMENT OR THE LOCAL AUTHORITY CONDUCTS A TEST DRIVE OR APPLIES A  
37 VEHICLE TEMPLATE ON THE HIGHWAY THAT SHOWS THAT A VEHICLE OF A LEGAL SIZE  
38 MAY NOT SAFELY OPERATE ON THE HIGHWAY.

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

42 G. A HIGHWAY THAT DOES NOT HAVE A TRUCK RESTRICTION BEFORE BEING  
43 ANNEXED BY A LOCAL AUTHORITY OR OTHERWISE TRANSFERRED TO A LOCAL AUTHORITY  
44 MAY NOT BE INCORPORATED INTO AN EXISTING TRUCK RESTRICTION THAT IS PASSED

1 BY A LOCAL JURISDICTION ON OR AFTER JANUARY 1, 2020 UNLESS THE HIGHWAY  
2 MEETS THE CRITERIA PRESCRIBED BY SUBSECTION E OF THIS SECTION.

3 H. A PERSON MAY REQUEST IN WRITING A REVIEW OF ANY ROUTE  
4 RESTRICTIONS FOR VEHICLES OF LEGAL SIZE IF THE ROUTE RESTRICTION IS  
5 ENACTED PURSUANT TO THIS SECTION ON OR AFTER JANUARY 1, 2020. THE  
6 DIRECTOR SHALL ACT ON ALL REQUESTS WITHIN NINETY DAYS AFTER RECEIVING THE  
7 WRITTEN REQUEST. IF THE DIRECTOR DETERMINES THAT A VEHICLE OF LEGAL SIZE  
8 CAN OPERATE SAFELY ON A MAJOR ARTERIAL STREET, THE LOCAL JURISDICTION MAY  
9 NOT RESTRICT THAT MAJOR ARTERIAL STREET.

10 I. FOR A MAJOR ARTERIAL STREET THAT HAS A TRUCK RESTRICTION THAT  
11 DOES NOT PROVIDE THROUGH ACCESS BETWEEN TWO OR MORE JURISDICTIONS BEFORE  
12 JANUARY 1, 2023 AND THAT IS SUBSEQUENTLY IMPROVED FROM AND AFTER DECEMBER  
13 31, 2022 TO PROVIDE THROUGH TRAFFIC BETWEEN TWO OR MORE JURISDICTIONS, THE  
14 TRUCK RESTRICTION IS NULLIFIED UNLESS AT LEAST ONE OF THE CRITERIA BELOW  
15 IS MET:

16 1. THE HIGHWAY IS A MAJOR ARTERIAL STREET THAT MEETS THE CRITERIA  
17 PRESCRIBED BY SUBSECTION E OF THIS SECTION.

18 2. A LOCAL AUTHORITY NOTIFIES BY CERTIFIED MAIL ALL ACTIVE  
19 STATEWIDE ASSOCIATIONS THAT ARE REGISTERED FOR LOBBYING PURPOSES WITH THE  
20 SECRETARY OF STATE AND THAT PRIMARILY REPRESENT TRUCKING INTERESTS OF THE  
21 NEW THROUGH TRAFFIC CONNECTION, AND THE LOCAL AUTHORITY OBTAINS A LETTER  
22 OF SUPPORT FROM ALL OF THE ASSOCIATIONS.

23 3. THE SUBSEQUENT IMPROVEMENT PROVIDING A THROUGH CONNECTION IS  
24 LOCATED ONE MILE OR LESS FROM A REASONABLE ALTERNATIVE ROUTE THAT PROVIDES  
25 A THROUGH ACCESS OR CONNECTION TO THE OTHER JURISDICTIONS WITHOUT  
26 RESTRICTIONS.

27 J. FOR THE PURPOSES OF THIS SECTION:

28 1. "MAJOR ARTERIAL STREET":

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

30 (b) INCLUDES:

31 (i) A PRINCIPAL ARTERIAL STREET.

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

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

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

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

39 2. "REASONABLE ALTERNATIVE ROUTE" MEANS A HIGHWAY THAT DOES NOT  
40 RESTRICT OR PROHIBIT A VEHICLE OF LEGAL SIZE FROM OPERATING AND THAT DOES  
41 NOT DIRECTLY CONNECT TO A HIGHWAY UNDER THE JURISDICTION OF ANOTHER LOCAL  
42 AUTHORITY WITH AN IMMEDIATE ADJACENT EXISTING RESTRICTION OR PROHIBITION  
43 ENACTED PURSUANT TO THIS SECTION.

1           3. "SAFELY OPERATE" MEANS A DETERMINATION BASED ON A TEST DRIVE,  
2 TRAFFIC ENGINEERING STUDY OR APPLICATION OF A VEHICLE TEMPLATE THAT A  
3 VEHICLE OF LEGAL SIZE MAY OPERATE ON A HIGHWAY THAT IS A MAJOR ARTERIAL  
4 STREET WITHOUT CAUSING A SIGNIFICANT AND CLEARLY EVIDENT SAFETY PROBLEM IN  
5 RELATION TO A VEHICLE OF LEGAL SIZE.

6           4. "TRUCK RESTRICTION" MEANS AN ORDINANCE OR RESOLUTION THAT  
7 PROHIBITS OR LIMITS THE OPERATION OF TRUCKS OR OTHER COMMERCIAL VEHICLES  
8 ON DESIGNATED HIGHWAYS.

9           5. "VEHICLE OF LEGAL SIZE" MEANS A VEHICLE THAT COMPLIES WITH THE  
10 LIMITATIONS SET FORTH IN ALL OF THE FOLLOWING:

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

12           (b) SECTION 28-1094.

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

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

17           Sec. 2. Local ordinances; highway use; conflict; repeal;  
18 amend; invalid

19           A local authority that passed an ordinance on or after January 1,  
20 2020 that is inconsistent with section 28-1106, Arizona Revised Statutes,  
21 as amended by this act, shall repeal or amend the ordinance to comply with  
22 this act within ninety days after the effective date of this act or the  
23 ordinance is invalid.