

REFERENCE TITLE: zero-emission vehicle program; rebate

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
Second Regular Session  
2024

## **HB 2884**

Introduced by  
Representatives Wilmeth: Biasiucci, Hernandez A

AN ACT

AMENDING SECTION 44-1305, ARIZONA REVISED STATUTES; AMENDING TITLE 49, CHAPTER 3, ARTICLE 7, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 49-574 AND 49-575; RELATING TO AIR QUALITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 44-1305, Arizona Revised Statutes, is amended to  
3 read:

4 44-1305. Waste tire fund and program

5 A. ~~A~~ THE waste tire fund is established to be administered by the  
6 department of revenue consisting of monies collected from the fees applied  
7 to tires pursuant to this article. Monies in the fund are exempt from  
8 lapsing under section 35-190.

9 B. At the end of each calendar quarter the department of revenue  
10 shall certify to the department of administration and to the department of  
11 environmental quality the amounts to be paid from the fund as follows:

12 1. An amount not to exceed three and one-half ~~per cent~~ PERCENT of  
13 the monies in the fund shall be transferred to the department of  
14 environmental quality for deposit in the solid waste fee fund established  
15 by section 49-881 for monitoring and enforcing this article.

16 2. An amount not to exceed five ~~per cent~~ PERCENT or ~~two hundred~~  
17 ~~fifty thousand dollars~~ \$250,000, whichever is less, may be used by the  
18 director of the department of environmental quality for tire fire cleanup  
19 expenses if no other ~~funds~~ MONIES are available.

20 3. AN AMOUNT NOT TO EXCEED NINE PERCENT OF MONIES IN THE FUND SHALL  
21 BE TRANSFERRED TO THE ZERO-EMISSION VEHICLE FUND ESTABLISHED BY SECTION  
22 49-575.

23 ~~3.~~ 4. The remainder of the monies shall be distributed among the  
24 counties in this state in proportion to the number of motor vehicles  
25 registered in the county as of the preceding July 1. Such monies shall be  
26 used by the counties for the purposes prescribed by subsection C of this  
27 section.

28 C. Each county shall establish a waste tire program and shall  
29 submit by September 1 of each year a waste tire management plan to the  
30 department of environmental quality for review and approval. A waste tire  
31 program may include contracts with private enterprise to do any of the  
32 following, either individually or collectively:

33 1. Develop a plan to manage waste tires in the county.

34 2. Construct or operate or contract for the construction or  
35 operation of a waste tire processing facility and purchase equipment for  
36 that facility.

37 3. Contract for a waste tire processing facility service.

38 4. Remove or contract for the removal of waste tires from the  
39 county or other region.

40 5. Establish waste tire collection centers at solid waste disposal  
41 facilities or waste tire processing facilities.

42 6. Develop an accounting system for the waste tires managed with  
43 monies from the waste tire fund.

44 D. A county with a population of less than four hundred thousand  
45 persons ~~as determined by the most recent United States decennial census~~

1 may join with any other county and pool their financial resources to  
2 establish a program pursuant to this section to address the waste tire  
3 problem.

4 E. The department of revenue shall provide an annual report to the  
5 legislature and to the department of environmental quality on the  
6 collection and distribution of monies in the waste tire fund.

7 Sec. 2. Title 49, chapter 3, article 7, Arizona Revised Statutes,  
8 is amended by adding sections 49-574 and 49-575, to read:

9 49-574. Zero-emission vehicle program; rules; definition

10 A. THE ZERO-EMISSION VEHICLE PROGRAM IS ESTABLISHED WITHIN THE  
11 DEPARTMENT TO PROVIDE REBATES TO PERSONS WHO PURCHASE ZERO-EMISSION  
12 VEHICLES.

13 B. THE DIRECTOR SHALL ADOPT RULES FOR THE PROGRAM TO:

14 1. SPECIFY ZERO-EMISSION VEHICLE DESIGNS THAT QUALIFY FOR THE  
15 PROGRAM.

16 2. ESTABLISH PROCEDURES TO PRIORITIZE MONIES.

17 3. LIMIT THE NUMBER OF REBATES AVAILABLE TO EACH CLASS OF  
18 ZERO-EMISSION VEHICLES.

19 4. ALLOW A PERSON WHO PURCHASES A ZERO-EMISSION VEHICLE TO APPLY  
20 FOR A REBATE FOR A PORTION OF THE PURCHASE PRICE OF THE ZERO-EMISSION  
21 VEHICLE OR ASSIGN A REBATE TO A VEHICLE DEALER.

22 5. PRESCRIBE A REBATE APPLICATION PROCEDURE SUBJECT TO A PENALTY OF  
23 PERJURY.

24 6. SET AN ANNUAL REBATE CAP THAT MAY VARY FOR EACH CLASS OF  
25 ZERO-EMISSION VEHICLES.

26 7. AWARD REBATES ONLY FROM MONIES AVAILABLE IN THE ZERO-EMISSION  
27 VEHICLE FUND ESTABLISHED BY SECTION 49-575.

28 8. PROVIDE A PROCEDURE FOR THE REIMBURSEMENT OF MONIES FROM  
29 ZERO-EMISSION VEHICLE OWNERS WHO RECEIVE A REBATE BUT DO NOT COMPLY WITH  
30 THE REQUIREMENTS OF SUBSECTION D, PARAGRAPH 3 OF THIS SECTION. THE  
31 DIRECTOR MAY WAIVE A REIMBURSEMENT REQUIREMENT ON A FINDING OF  
32 UNFORESEEABLE OR UNAVOIDABLE CIRCUMSTANCES.

33 9. MAKE A DETERMINATION ON ANY VALID APPLICATION WITHIN SIXTY DAYS  
34 AFTER RECEIPT.

35 C. THE DEPARTMENT MAY:

36 1. ADOPT RULES TO PROVIDE ADDITIONAL REBATES FOR FLEET OWNERS THAT  
37 PURCHASE ZERO-EMISSION VEHICLES THAT OPERATE IN AN AREA SUBJECT TO THE  
38 EMISSIONS INSPECTION PROGRAM ESTABLISHED PURSUANT TO ARTICLE 5 OF THIS  
39 CHAPTER.

40 2. HIRE AN OUTSIDE CONTRACTOR TO HELP IMPLEMENT OR ADMINISTER THE  
41 ZERO-EMISSION VEHICLE PROGRAM.

42 D. A PERSON MAY APPLY FOR A REBATE WITHIN SIX MONTHS AFTER  
43 PURCHASING A ZERO-EMISSION VEHICLE PURSUANT TO THIS SECTION IF ALL OF THE  
44 FOLLOWING APPLY:

45 1. THE PERSON PURCHASES A ZERO-EMISSION VEHICLE.

1           2. THE PERSON PROVIDES PROOF OF INTENT TO USE A ZERO-EMISSION  
2 VEHICLE PRIMARILY IN THIS STATE.  
3           3. THE PERSON ATTESTS TO DO ALL OF THE FOLLOWING:  
4           (a) MAINTAIN OWNERSHIP OF THE ZERO-EMISSION VEHICLE FOR TWENTY-FOUR  
5 MONTHS OR LONGER AFTER PURCHASE.  
6           (b) NOT MAKE ANY MODIFICATION TO THE ZERO-EMISSION VEHICLE THAT  
7 INCREASE THE EMISSIONS OF THE VEHICLE.  
8           (c) NOTIFY THE DIRECTOR OF THE TRANSFER OR EMISSIONS SYSTEM  
9 MODIFICATION OF A ZERO-EMISSION VEHICLE.  
10          E. A REBATE RECIPIENT SHALL NOTIFY THE DEPARTMENT OF A TRANSFER OF  
11 TITLE OF A ZERO-EMISSION VEHICLE OR AN EMISSIONS SYSTEM MODIFICATION.  
12          F. FOR THE PURPOSES OF THIS SECTION, "ZERO-EMISSION VEHICLE" MEANS  
13 A VEHICLE WITH BOTH OF THE FOLLOWING:  
14           1. A GROSS WEIGHT OF ONE THOUSAND FOUR HUNDRED POUNDS OR MORE.  
15           2. A DRIVETRAIN THAT PRODUCES ZERO EXHAUST EMISSION, CRITERIA  
16 POLLUTANT OR GREENHOUSE GAS.  
17          49-575. Zero-emission vehicle fund  
18          THE ZERO-EMISSION VEHICLE FUND IS ESTABLISHED CONSISTING OF  
19 LEGISLATIVE APPROPRIATIONS, FEDERAL MONIES AND PRIVATE GIFTS, GRANTS,  
20 CONTRIBUTIONS AND DEVICES AND MONIES TRANSFERS FROM THE WASTE TIRE FUND  
21 ESTABLISHED BY SECTION 44-1305. THE DEPARTMENT SHALL ADMINISTER THE FUND.  
22 MONIES IN THE FUND ARE SUBJECT TO LEGISLATIVE APPROPRIATION. THE  
23 DEPARTMENT MAY USE MONIES IN THE FUND TO ADMINISTER AND AWARD REBATES  
24 PURSUANT TO THE ZERO-EMISSION VEHICLE PROGRAM ESTABLISHED BY SECTION  
25 49-574.