

House Engrossed

~~commercial driver license examiners; notice~~
(now: use fuel dispenser labels; receipt)

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

CHAPTER 51

HOUSE BILL 2166

AN ACT

AMENDING SECTION 28-5605, ARIZONA REVISED STATUTES; RELATING TO USE FUEL TAX.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-5605, Arizona Revised Statutes, is amended to
3 read:

4 28-5605. Use fuel tax collection; fuel dispenser labels;
5 civil penalty

6 A. A vendor shall not collect more than the use fuel tax imposed
7 pursuant to section 28-5606, subsection B, paragraph 1 from a person who
8 purchases use fuel for use in the propulsion of a light class motor
9 vehicle on a highway in this state or for use in the propulsion of a use
10 class motor vehicle that is exempt pursuant to section 28-5432 from the
11 weight fee prescribed in section 28-5433 on a highway in this state.

12 B. Subject to the following, vendors shall label use fuel
13 dispensers pursuant to standards established by the weights and measures
14 services division of the Arizona department of agriculture:

15 1. Labels on use fuel dispensers shall notify the purchaser of the
16 state use fuel tax rate. The department of transportation shall provide
17 the use fuel dispenser labels to vendors IF THE VENDOR SUBMITS A RECEIPT
18 FROM ONE FUELING POSITION FOR EACH USE FUEL TYPE AND, IF APPLICABLE, ONE
19 IN-STORE POINT OF SALE SYSTEM.

20 2. If the vendor ~~only~~ sells use fuel ONLY to light class motor
21 vehicles or use class motor vehicles that are exempt pursuant to section
22 28-5432 from the weight fee prescribed in section 28-5433, or both, the
23 vendor shall post that limitation and include the tax rate prescribed in
24 section 28-5606, subsection B, paragraph 1.

25 3. If light class motor vehicles and use class motor vehicles are
26 allowed to fuel at the same use fuel dispenser, the vendor shall include
27 the tax rate prescribed in section 28-5606, subsection B, paragraph 2 and
28 post a notice that the tax rate for light class motor vehicles and use
29 class motor vehicles that are exempt pursuant to section 28-5432 from the
30 weight fee prescribed in section 28-5433 is the tax rate prescribed in
31 section 28-5606, subsection B, paragraph 1.

32 4. If the vendor prohibits light class motor vehicles or use class
33 motor vehicles from dispensing fuel from a specific fuel dispenser, the
34 vendor shall post that prohibition.

35 5. In addition to posting a sign on a use fuel dispenser that
36 indicates that the price of the use fuel dispensed from that dispenser
37 includes the applicable federal and state taxes, a vendor that dispenses
38 use fuel from a cardlock facility shall require the purchaser of use fuel
39 for light class motor vehicles or use class motor vehicles that are exempt
40 pursuant to section 28-5432 from the weight fee prescribed in section
41 28-5433, or both, to complete a declaration of status in a form and a
42 manner approved by the director. For the purposes of this paragraph,
43 "cardlock facility" means a use fuel vendor that satisfies all of the
44 following:

1 (a) Is licensed in this state.

2 (b) Sells only to preapproved purchasers of use fuel who have been
3 issued cards, keys or other controlled access to identify the exclusive
4 withdrawal of that particular purchaser.

5 (c) Does not have a representative on the premises to observe the
6 withdrawal of use fuel from the vendor's storage.

7 (d) Measures volumes of fuel dispensed by pump meters or other
8 accurate recording devices.

9 C. A vendor who violates subsection B of this section is subject to
10 a civil penalty of ~~one hundred dollars~~ \$100 for each day the violation
11 continues.

APPROVED BY THE GOVERNOR APRIL 8, 2025.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 8, 2025.