



ARIZONA HOUSE OF REPRESENTATIVES

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House: TRANS DPA 12-0-0-0

SB 1460: ADOT; state motor vehicle fleet

Sponsor: Senator Shope, LD 8

Caucus & COW

Overview

Transfer the operation of the state motor vehicle fleet (State Fleet) from the Arizona Department of Administration (ADOA) to the Arizona Department of Transportation (ADOT).

History

Pursuant to [A.R.S. § 41-803](#), ADOA is required to operate a State Fleet for all state-owned motor vehicles for the purpose of providing transportation for state officers and employees. ADOA must make the fleet available to state agencies and department on the request of the chosen representative for that agency or department. ADOA must provide detailed cost, operation, maintenance, mileage and custody records for each state-owned vehicle. On or before August 1st of each year, all state agencies and departments must make information available to ADOA regarding vehicle costs, operations, maintenance, mileage and other information as established by ADOA in policy and procedures for use of alternative and clean burning fuels in the fleet. The following departments and agencies are excluded from the participation from the State Fleet: 1) Department of Public Safety (DPS); 2) ADOT; 3) Department of Economic Security (DES); 4) Arizona Department of Corrections (ADC); 5) Universities and community colleges; 6) Arizona state schools for the deaf and the blind; 7) Cotton Research and Protection Council; 8) Arizona Commerce Authority (ACA); and 9) Department of Child Safety (DCS).

Provisions

Operation of the State Motor Vehicle Fleet (Sec. 1, 3, 5)

1. Requires ADOT to operate a State Fleet for all motor vehicles that are owned, leased or rented by the state.
2. Repeals statute relating to the operation of the State Fleet by ADOA.
3. Requires ADOT to operate the State Fleet for the purpose of providing fleet operation services to agencies.
4. Requires ADOT to make fleet operation services available to an agency on the request of the chosen representative for that agency.
5. States that ADOT is responsible for administering the State Fleet including:
 - a) Procuring motor vehicles for the State Fleet; and
 - b) The surplus and sale of motor vehicles in the State Fleet.
6. Requires ADOT to provide for detailed cost, operation, maintenance, mileage and custody records for each state-owned motor vehicle.
7. Allows ADOT to adopt rules necessary to administer the operation of the State Fleet.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input checked="" type="checkbox"/> Fiscal Note
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8. Requires ADOT to recover all costs for fleet operation services that are provided to an agency.
9. Requires each agency pay from available monies the cost of fleet operation services received from ADOT at a rate determined by ADOT, including a separate recapitalization rate for vehicle replacement.
10. Requires ADOT to deposit monies received for fleet operation services in the State Motor Vehicle Fleet Operations Fund (Operations Fund).
11. Requires ADOT to deposit monies received for the payment of the recapitalization rate in the State Motor Vehicle Fleet Recapitalization Fund (Recapitalization Fund).
12. Excludes the following agencies from the participation in the State Fleet:
 - a) DPS;
 - b) DES;
 - c) ADC;
 - d) Universities and community colleges;
 - e) Arizona state schools for the deaf and blind;
 - f) Cotton Research and Protection Council;
 - g) ACA; and
 - h) DCS.
13. Requires ADOT to appoint a state motor vehicle fleet coordinator (Coordinator).
14. Prohibits an agency from purchasing, leasing or renting a motor vehicle unless the agency is excluded from participation in the State Fleet.
15. Allows ADOT to withhold registration for any motor vehicle that is purchased or leased in violation State Fleet requirements.
16. Requires an agency that administers a subaccount that is restricted by state or federal law to control the purchase, lease or rent of motor vehicles to be used by the agency for the agency's purposes.
17. Allows an agency excluded from the State Fleet to elect to participate in the fleet by executing an interagency service agreement between the agency and ADOT.
18. Allows a governmental budget unit of Arizona that is not an agency to participate in the State Fleet by entering into an interagency service agreement with ADOT.
19. Allows agencies, including agencies excluded from the State Fleet, to accept compensation for placing public service announcements on state-owned motor vehicles.
20. Requires monies received from public service announcements to be deposited into the state general fund.
21. Allows an agency director to:
 - a) Determine the appropriateness of the announcements;
 - b) Exempt any vehicles that are not suitable for advertising; and
 - c) Contract with private parties for the design and placement of the announcements.

Alternative and Clean Burning Fuels and Energy Conservation (Sec. 3)

22. Requires ADOT to consider purchasing a neighborhood electric vehicle before each new motor vehicle purchase.
23. Requires an agency be assigned a neighborhood electric vehicle, when requesting a vehicle from the State Fleet, unless the agency demonstrates to ADOT that the vehicle needs to do any of the following:
 - a) Operate on a street with a posted speed limit that exceeds 35 miles per hour;

- b) Carry a load that exceeds 1,500 pounds; or
 - c) Transport more than six people.
24. Requires the Coordinator to develop, implement, document, monitor and modify as necessary a statewide alternative fuels plan in consultation with all agencies that are subject to alternative and clean burning fuel requirements as prescribed by law.
 25. States that the Coordinator's approval is required for all vehicle acquisitions, except for acquisitions by community college districts.
 26. Requires vehicles purchased for the State Fleet to comply with the US Environmental Protection Agency Standards for low-emission vehicles pursuant to federal regulations.
 27. Requires the Coordinator to identify specific vehicle models within each vehicle class that would meet the demands of each agency and that demonstrate a high degree of fuel economy.
 28. States the low-emissions and fuel economy requirements do not apply to a purchase or lease of the following:
 - a) A vehicle to be used primarily for criminal law enforcement;
 - b) A motorcycle;
 - c) An all-terrain vehicle;
 - d) An ambulance; and
 - e) A fire truck, a fire engine or any other fire suppression apparatus.
 29. Requires an agency excluded from the State Fleet to develop and implement a program for alternative and clean burning fuels and fuel economy for the agency's motor vehicle fleet that is substantially similar to the State Fleet standards.
 30. Requires all agencies, including those excluded from the State Fleet, to comply with the plan the is developed and implemented by the Coordinator.
 31. Allows ADOT to not register a motor vehicle that is operated by an agency that is not in compliance with the energy and emissions requirements.

State Motor Vehicle Fleet Operations and Recapitalization Funds (Sec. 2, 3, 5)

32. Repeals the Motor Vehicle Pool Consolidation Fund and the Motor Vehicle Pool Revolving Fund.
33. Establishes the Operations Fund to be administered by ADOT and that consists of monies received from:
 - a) Agencies for the payment of costs for fleet operation services;
 - b) The lease or rental of the State Fleet for off-duty police officer work;
 - c) Legislative appropriations.
34. Establishes the Recapitalization Fund to be administered by ADOT and that consist of monies from:
 - a) Payment of the recapitalization rate;
 - b) Proceeds from the sale of surplus motor vehicles; and
 - c) Legislative Appropriations.
35. Requires ADOT to establish a separate subaccount in the Recapitalization Fund for each agency.
36. Requires the subaccount to be administered by an agency if the agency's subaccount includes monies that are restricted in purpose by state or federal law.

37. States that monies in the Operations Fund and Recapitalization Fund are subject to legislative appropriation and are exempt from lapsing.
38. Requires the State Treasurer, on notice from ADOT, to invest and divest monies in the Operations Fund and Recapitalizations Fund and credit monies earned into each respective fund.

Transfer of Operations from ADOA to ADOT (Sec. 9, 10, 12)

39. States that ADOT succeeds to the authority, powers, duties and responsibilities of ADOA in the operation of the State Fleet.
40. States that this Act does not alter the effect of any actions that were taken or impair the valid obligations of ADOA in the operation of the State Fleet and measures in existence before the effective date of this Act.
41. States that administrative rules and orders that were adopted by ADOA related to the operation of the State Fleet continue to be in effect until superseded by administrative action by ADOT.
42. States that all administrative matters, contracts and judicial and quasi-judicial actions, whether completed, pending or in process, of ADOA related to the State Fleet operation on the effective date of this Act are transferred to and retain the same status with ADOT.
43. Transfers the following from ADOA to ADOT:
 - a) All equipment, records, furnishings and other property, all data and all appropriated monies relating to the operation of the State Fleet that remain unexpended and unencumbered on the effective date of this Act;
 - b) All personnel who are under the state personnel system and employed by ADOA in positions directly related with State Fleet operations to comparable positions and pay classifications;
 - c) All motor vehicles owned by state agencies or departments other than those exempt from the State Fleet on July 1, 2021, except for vehicles restricted in use by state and federal law;
 - d) All unexpended and unencumbered monies remaining in the Motor Vehicle Pool Consolidation and Revolving Funds to the Recapitalization Fund.
 - e) All unexpended and unencumbered monies related to the State Fleet and remaining in the ADOT Interagency Service Agreement Fund and Interagency Governmental Agreement Fund to the Operations Fund.

Miscellaneous

44. Allows ADOT to organize the department into division as necessary, including motor vehicle and transportation planning, rather than require ADOT to be organized into specified divisions. (Sec. 1)
45. Requires monies generated from the lease or rental of the State Fleet for off-duty police officer work to be deposited in the DPS Administration Fund, rather than the Motor Vehicle Pool Revolving Fund. (Sec. 6)
46. Exempts ADOT from rulemaking for the purposes of this Act for one year after the effective date. (Sec. 11)
47. Defines pertinent terms. (Sec. 3)
48. Contains a retroactivity clause of July 1, 2021. (Sec. 13)
49. Makes technical and conforming changes. (Sec. 1, 4, 7, 8)

Amendments

Committee on Transportation

1. Makes a technical change.