

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1 Session of 2013

INTRODUCED BY RAFFERTY, WOZNIAK, SCARNATI, PILEGGI, CORMAN, BROWNE, WAUGH, ROBBINS, GORDNER, ERICKSON, WHITE, STACK, YAW, VOGEL, VULAKOVICH, BRUBAKER, SMUCKER, SOLOBAY, TOMLINSON, ALLOWAY, VANCE, MENSCH, BLAKE, BREWSTER, TEPLITZ, DINNIMAN, SCHWANK, KITCHEN AND WASHINGTON, MAY 3, 2013

REFERRED TO TRANSPORTATION, MAY 3, 2013

AN ACT

1 Amending Titles 20 (Decedents, Estates and Fiduciaries), 74
 2 (Transportation) and 75 (Vehicles) of the Pennsylvania
 3 Consolidated Statutes, in anatomical gifts, further providing
 4 for The Governor Robert P. Casey Memorial Organ and Tissue
 5 Donation Awareness Trust Fund contributions; in sustainable
 6 mobility options, further providing for definitions, for the
 7 Public Transportation Trust Fund, for application and
 8 approval process, for executive and legislative reports, for
 9 coordination, for asset improvement program, for Statewide
 10 programs and for capital improvements program; providing for
 11 multimodal transportation funding; in the Pennsylvania
 12 Turnpike, further providing for definitions, for commission
 13 and for electronic toll collection; in public-private
 14 transportation partnerships, further providing for agreement;
 15 providing for traffic signals and for the Bridge Bundling
 16 Program; in registration of vehicles, further providing for
 17 certain special plates and providing for suspension of
 18 registration upon unpaid tolls; in licensing of drivers,
 19 further providing for expiration and renewal of drivers'
 20 licenses, for occupational limited license and for
 21 probationary license; in commercial drivers, further
 22 providing for fees; in financial responsibility, further
 23 providing for required financial responsibility; in fees,
 24 further providing for collection and disposition of fees and
 25 money, for passenger cars, for motor homes, for motorcycles,
 26 for motor-driven cycles, for trucks and truck tractors, for
 27 motor buses and limousines, for school buses and school
 28 vehicles, for trailers, for special mobile equipment, for
 29 implements of husbandry, for antique, classic and collectible
 30 vehicles, for farm vehicles, for ambulances, taxis and
 31 hearses, for dealers and miscellaneous motor vehicle

1 business, for farm equipment vehicle dealers, for transfer of
2 registration, for temporary and electronically issued
3 registration plates, for replacement registration plates, for
4 certain registration plates, for duplicate registration
5 cards, for commercial implements of husbandry, for special
6 hauling permits as to weight and size, for annual hauling
7 permits, for mobile homes, modular housing units and modular
8 housing undercarriages, for books of permits, for refund of
9 certain fees, for driver's license and learner's permit, for
10 certificate of title, for security interest, for information
11 concerning drivers and vehicles, for certified copies of
12 records, for uncollectible checks, for certificate of
13 inspection, for messenger service, for reinstatement of
14 operating privilege or vehicle registration and for secure
15 power of attorney; in motor carriers road tax identification
16 markers, further providing for identification markers and
17 license or road tax registration card required; in general
18 provisions, further providing for obedience to traffic-
19 control devices; in State and local powers, further providing
20 for regulation of traffic on Pennsylvania Turnpike; in
21 penalties and disposition of fines, further providing for
22 surcharge; in snowmobiles and all-terrain vehicles, further
23 providing for fees; in Pennsylvania Turnpike, further
24 providing for definitions and for deposit and distribution of
25 funds; in liquid fuels and fuels tax, further providing for
26 definitions and for imposition, tax, exemptions and
27 deductions; in State highway maintenance, further providing
28 for dirt and gravel road maintenance; in taxes for highway
29 maintenance and construction, further providing for
30 imposition and for allocation of proceeds; and directing the
31 Joint State Government Commission to study replacement funds.

32 The General Assembly finds and declares as follows:

33 (1) It is the purpose of this act to ensure that a safe
34 and reliable system of transportation is available to the
35 residents of this Commonwealth.

36 (2) The Commonwealth's transportation system includes
37 nearly 40,000 miles of roads and 25,000 bridges owned by the
38 Commonwealth, nearly 77,000 miles of roads and 12,000 bridges
39 owned by counties and municipal governments, 36 fixed-route
40 public transportation agencies, 67 railroads, 133 public use
41 airports, the Ports of Erie, Philadelphia and Pittsburgh, and
42 numerous bicycle and pedestrian facilities.

43 (3) The Commonwealth's transportation system provides
44 for access to employment, educational services, medical care
45 and other life-sustaining services for all residents of this

1 Commonwealth, including senior citizens and people with
2 disabilities.

3 (4) The Department of Transportation of the Commonwealth
4 has indicated that 9,000 miles of roads owned by the
5 Commonwealth are in poor condition and that 4,400 bridges
6 owned by the Commonwealth are rated structurally deficient.
7 The State Transportation Advisory Committee has indicated
8 that 2,189 bridges exceeding 20 feet in length owned by
9 counties and municipalities are rated structurally deficient.

10 (5) There is urgent public need to reduce congestion,
11 increase capacity, improve safety and promote economic
12 efficiency of transportation facilities throughout this
13 Commonwealth.

14 (6) The Commonwealth has limited resources to fund the
15 maintenance and expansion of its transportation facilities.

16 (7) The State Transportation Advisory Committee reported
17 in 2010 that the Commonwealth's transportation system is
18 underfunded by \$3,500,000,000 and projected that amount will
19 grow to \$6,700,000,000 by 2020 without additional financial
20 investment by the Commonwealth.

21 (8) To ensure the needs of the public are adequately
22 addressed, funding mechanisms must be enhanced to sustain the
23 Commonwealth's transportation system in the future.

24 (9) The utilization of user fees establishes a funding
25 source for transportation needs that spreads the costs across
26 those who benefit from the Commonwealth's transportation
27 system.

28 (10) Pursuant to section 11 of Article VIII of the
29 Constitution of Pennsylvania, all highway and bridge user
30 fees must be used solely for construction, reconstruction,

1 maintenance and repair of and safety on public highways and
2 bridges and costs and expenses incident thereto.

3 (11) In order to ensure a safe and reliable system of
4 public transportation, rail, aviation and ports, bicycle and
5 pedestrian facilities and other transportation-related user
6 fees must be deposited in the Public Transportation Trust
7 Fund and the Multimodal Transportation Fund.

8 (12) Recognition and furtherance of all these elements
9 is essential to promoting the health, safety and welfare of
10 the citizens of this Commonwealth.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 8621 of Title 20 of the Pennsylvania
14 Consolidated Statutes is amended to read:

15 § 8621. The Governor Robert P. Casey Memorial Organ and Tissue
16 Donation Awareness Trust Fund contributions.

17 (a) Driver's license.--Beginning as soon as practicable, but
18 no later than January 1, 1995, the Department of Transportation
19 shall provide an applicant for an original or renewal driver's
20 license or identification card the opportunity to make a
21 contribution of [\$1] \$3 to the fund. The contribution shall be
22 added to the regular fee for an original or renewal driver's
23 license or identification card. One contribution may be made for
24 each issuance or renewal of a license or identification card.
25 Contributions shall be used exclusively for the purposes set out
26 in section 8622 (relating to The Governor Robert P. Casey
27 Memorial Organ and Tissue Donation Awareness Trust Fund). The
28 Department of Transportation shall monthly determine the total
29 amount designated under this section and shall report that
30 amount to the State Treasurer, who shall transfer that amount to

1 The Governor Robert P. Casey Memorial Organ and Tissue Donation
2 Awareness Trust Fund.

3 (b) Vehicle registration.--The Department of Transportation
4 shall provide an applicant for a renewal vehicle registration
5 the opportunity to make a contribution of [\$1] \$3 to The
6 Governor Robert P. Casey Memorial Organ and Tissue Donation
7 Awareness Trust Fund. The contribution shall be added to the
8 regular fee for a renewal of a vehicle registration. One
9 contribution may be made for each renewal vehicle registration.
10 Contributions shall be used exclusively for the purposes
11 described in section 8622. The Department of Transportation
12 shall monthly determine the total amount designated under this
13 section and shall report that amount to the State Treasurer, who
14 shall transfer that amount to The Governor Robert P. Casey
15 Memorial Organ and Tissue Donation Awareness Trust Fund. The
16 Governor Robert P. Casey Memorial Organ and Tissue Donation
17 Awareness Trust Fund shall reimburse the department for the
18 initial costs incurred in the development and implementation of
19 the contribution program under this subsection. The General Fund
20 shall reimburse the Department of Transportation for the actual
21 annual operating costs of the program for vehicle registrations
22 as described in this subsection subject to the following limits:
23 For the first fiscal year during which this subsection is
24 effective, the General Fund shall reimburse the Department of
25 Transportation for the actual operating costs of the program in
26 this subsection up to a maximum of \$100,000. For each fiscal
27 year thereafter, the General Fund shall reimburse the Department
28 of Transportation for the actual operating costs of the program
29 in this subsection in an amount not to exceed the prior year's
30 actual operating costs on a full fiscal year basis plus 3%. The

1 amounts approved by the Governor as necessary are hereby
2 appropriated from the General Fund for this purpose.

3 Section 2. The definitions of "base operating allocation"
4 and "capital expenditures" in section 1503 of Title 74 are
5 amended to read:

6 § 1503. Definitions.

7 The following words and phrases when used in this chapter
8 shall have the meanings given to them in this section unless the
9 context clearly indicates otherwise:

10 * * *

11 "Base operating allocation." The total amount of State
12 operating assistance, reimbursement in lieu of fares for senior
13 passengers and other assistance which was used for operating
14 assistance as determined by the department in [fiscal year 2005-
15 2006] the last full fiscal year that the qualifying local
16 transportation organization received the assistance.

17 "Capital expenditures." All costs of capital projects,
18 including, but not limited to, the costs of acquisition,
19 construction, installation, start-up of operations, improvements
20 and all work and materials incident thereto. At the discretion
21 of the department, preventive maintenance expenses, as defined
22 by the Federal Transit Administration, may be deemed eligible as
23 a capital expenditure based on written approval by the
24 department.

25 * * *

26 Section 3. Section 1506(b)(1), (c) and (e) of Title 74 are
27 amended to read:

28 § 1506. Fund.

29 * * *

30 (b) Deposits to fund by department.--

1 (1) The following apply:

2 (i) [Except as provided under subparagraph (ii),
3 upon] Upon receipt, the department shall deposit into the
4 fund the revenues received by the department under 75
5 Pa.C.S. Ch. 89 (relating to Pennsylvania Turnpike) and
6 the lease agreement executed between the department and
7 the Pennsylvania Turnpike Commission under 75 Pa.C.S. §
8 8915.3 (relating to lease of Interstate 80; related
9 agreements) [as follows:

10 (A) For fiscal year 2007-2008, \$250,000,000.

11 (B) For fiscal year 2008-2009, \$250,000,000.

12 (C) For fiscal year 2009-2010, \$250,000,000.

13 (D) For fiscal year 2010-2011 and each fiscal
14 year thereafter, the amount calculated for the
15 previous fiscal year, increased by 2.5%].

16 (ii) The deposits made to the fund under this
17 subsection shall equal [\$250,000,000] \$305,000,000 for
18 fiscal years 2013-2014 and 2014-2015, \$360,000,000 for
19 fiscal years 2015-2016 and 2016-2017 and \$415,000,000
20 annually for each fiscal year commencing [after the
21 expiration of the conversion period if the conversion
22 notice is not received by the secretary prior to
23 expiration of the conversion period as set forth under 75
24 Pa.C.S. § 8915.3(3)] with fiscal year 2017-2018.

25 * * *

26 (c) Other deposits.--The following shall be deposited into
27 the fund annually:

28 (1) 4.4% of the amount collected under Article II of the
29 Tax Reform Code. Revenues under this paragraph shall be
30 deposited into the fund by the 20th day of each month for the

1 preceding month. The amount deposited under this paragraph is
2 estimated to be equivalent to the money available to the
3 department from the following sources:

4 (i) The Supplemental Public Transportation Account
5 established under former section 1310.1 (relating to
6 supplemental public transportation assistance funding).

7 (ii) The amount appropriated annually by the
8 Commonwealth from the General Fund for mass transit
9 programs pursuant to a General Appropriations Act.

10 (2) An amount of proceeds of Commonwealth capital bonds
11 as determined annually by the Secretary of the Budget.

12 (3) Revenue in the Public Transportation Assistance Fund
13 established under Article XXIII of the Tax Reform Code not
14 otherwise dedicated pursuant to law.

15 (4) The surcharge imposed under 75 Pa.C.S. § 6506(a.1)
16 (relating to surcharge).

17 (5) The revenue deposited in the fund in accordance with
18 75 Pa.C.S. § 3111(a.1)(2)(ii) (relating to obedience to
19 traffic-control devices).

20 (6) Other appropriations, deposits or transfers to the
21 fund.

22 * * *

23 (e) Program funding amounts.--Subject to available funds,
24 the programs established under this chapter shall be funded
25 annually as follows:

26 (1) For the program established under section 1513
27 (relating to operating program), the following amounts shall
28 be allocated from the fund:

29 (i) [All] From the revenues deposited in the fund
30 under subsection (b)(1)[.]:

1 (A) For fiscal years 2013-2014 and 2014-2015,
2 \$162,000,000.

3 (B) For fiscal years 2015-2016 and 2016-2017,
4 \$118,500,000.

5 (C) For fiscal year 2017-2018 and each fiscal
6 year thereafter, \$75,000,000.

7 (ii) All revenues deposited in the fund under
8 subsection (b) (2).

9 (iii) [69.99%] 86.76% of the revenues deposited in
10 the fund under subsection (c) (1).

11 (iv) All revenues deposited into the fund under
12 subsection (c) (3).

13 (v) The following percentages of the revenues
14 deposited in the fund in accordance with 75 Pa.C.S. §
15 1904 (relating to collection and disposition of fees and
16 moneys):

17 (A) For fiscal years 2013-2014 and 2014-2015,
18 10%.

19 (B) For fiscal years 2015-2016 and 2016-2017,
20 43.6%.

21 (C) For fiscal year 2017-2018 and each fiscal
22 year thereafter, 77%.

23 (2) [(i) Except as provided under subparagraph (ii),
24 for] For the program established under section 1514 (relating
25 to asset improvement program):

26 (A) By the proceeds of Commonwealth capital
27 bonds deposited into the fund under subsection (c)
28 (2).

29 [(A.1) For fiscal year 2007-2008, \$50,000,000
30 from the revenues received by the department under 75

1 Pa.C.S. Ch. 89 and the lease agreement executed
2 between the department and the Pennsylvania Turnpike
3 Commission under 75 Pa.C.S. § 8915.3. The amount
4 received by the department under this section shall
5 be deposited into the fund prior to distribution and
6 shall be in addition to the amounts received under
7 subsection (b)(1).

8 (B) For fiscal year 2008-2009, \$100,000,000 from
9 the revenues received by the department under 75
10 Pa.C.S. Ch. 89 and the lease agreement executed
11 between the department and the Pennsylvania Turnpike
12 Commission under 75 Pa.C.S. § 8915.3. The amount
13 received by the department under this section shall
14 be deposited into the fund prior to distribution and
15 shall be in addition to the amounts received under
16 subsection (b)(1).

17 (C) For fiscal year 2009-2010, \$150,000,000 from
18 the revenues received by the department under 75
19 Pa.C.S. Ch. 89 and the lease agreement executed
20 between the department and the Pennsylvania Turnpike
21 Commission under 75 Pa.C.S. § 8915.3. The amount
22 received by the department under this section shall
23 be deposited into the fund prior to distribution and
24 shall be in addition to the amounts received under
25 subsection (b)(1).

26 (D) For fiscal year 2010-2011 and each fiscal
27 year thereafter, the amount calculated for the prior
28 fiscal year increased by 2.5% from the revenues
29 received by the department under 75 Pa.C.S. Ch. 89
30 and the lease agreement executed between the

1 department and the Pennsylvania Turnpike Commission
2 under 75 Pa.C.S. § 8915.3. The amount received by the
3 department under this section shall be deposited into
4 the fund prior to distribution and shall be in
5 addition to the amounts received under subsection (b)
6 (1).]

7 (E) Ninety five percent of the remaining revenue
8 deposited in the fund under subsection (b)(1), after
9 the allocation of \$30,000,000 to the Multimodal
10 Transportation Fund.

11 (F) The revenue deposited in the fund under
12 subsection (c)(4) and (5).

13 [(ii) If the conversion notice is not received by
14 the secretary prior to the end of the conversion period
15 as set forth in 75 Pa.C.S. § 8915.3(3), no additional
16 allocation shall be made under subparagraph (i).]

17 (3) For the program established under section 1516
18 (relating to programs of Statewide significance), 13.24% of
19 the revenues deposited in the fund under subsection (c)(1)
20 shall be allocated from the fund in addition to the remaining
21 revenue deposited in the fund under subsection (b)(1).

22 [(4) For the program established under section 1517
23 (relating to capital improvements program), 16.77% of the
24 revenues deposited in the fund under subsection (c)(1).
25 Additional funds for this program may be provided from the
26 funds allocated but not distributed based on the limitation
27 set forth under section 1513(c)(3).]

28 Section 4. Section 1507(a)(6) and (c) of Title 74 are
29 amended and subsection (a) is amended by adding a paragraph to
30 read:

1 § 1507. Application and approval process.

2 (a) Application.--An eligible applicant that wishes to
3 receive financial assistance under this chapter shall submit a
4 written application to the department on a form developed by the
5 department, which shall include the following:

6 * * *

7 (6) Evidence satisfactory to the department of the
8 commitment for matching funds required under this chapter
9 sufficient to match the projected financial assistance
10 payments [at the same times that the financial assistance
11 payments are to be provided.], provided no later than June 30
12 of the applicable fiscal year. If the evidence required under
13 this paragraph is not provided to the satisfaction of the
14 department, subsequent funding under section 1513 (relating
15 to operating program) shall be withheld until the applicant
16 meets the requirements of this paragraph.

17 (6.1) A statement of policy outlining the basic
18 principles for the adjustment of fare growth to meet the rate
19 of inflation.

20 * * *

21 (c) Restriction on use of funds.--[Financial] Unless the
22 department grants the award recipient a waiver allowing the
23 funds to be used for a different purpose, financial assistance
24 under this chapter shall be used only for activities set forth
25 under the financial assistance agreement [unless the department
26 grants the award recipient a waiver allowing the funds to be
27 used for a different purpose]. The department's regulations
28 shall describe circumstances under which it will consider waiver
29 requests and shall set forth all information to be included in a
30 waiver request. The [maximum duration of a waiver shall be one

1 year, and a] waiver request shall include a plan of corrective
2 action to demonstrate that the award recipient does not have an
3 ongoing need to use financial assistance funds for activities
4 other than those for which funds were originally awarded. The
5 duration of the waiver may not exceed the duration of the plan
6 of corrective action. The department shall monitor
7 implementation of the plan of corrective action. If the plan of
8 corrective action is not implemented by the local transportation
9 organization, the department shall rescind the waiver approval.

10 Section 5. Sections 1511 and 1512 of Title 74 are amended to
11 read:

12 § 1511. Report to Governor and General Assembly.

13 [The following shall apply:

14 (1) Except as provided in paragraph (2), the] The
15 department shall submit a public passenger transportation
16 performance report to the Governor and the General Assembly
17 by April 30 of each year, covering the prior fiscal year.

18 [(2) The report covering the 2005-2006 fiscal year shall
19 be submitted by July 31, 2007.]

20 § 1512. Coordination and consolidation.

21 (a) Coordination.--Coordination is required in regions where
22 two or more award recipients have services or activities for
23 which financial assistance is being provided under this chapter
24 to assure that the services or activities are provided
25 efficiently and effectively.

26 (b) Consolidation.--

27 (1) The department shall study the consolidation of
28 local transportation organizations as a means of reducing
29 annual expense. The study shall examine the creation of
30 service regions to determine whether consolidation would

1 reduce annual expenses.

2 (2) If the results of the study under paragraph (1)
3 estimate annual savings of at least \$2,000,000 or 25% of the
4 local match contribution under section 1513 (relating to
5 operating program) at the time of completion of the study,
6 the transportation organization and local government shall
7 implement the recommended action or provide increased local
8 matching funds equal to 25% of the transportation
9 organization's and local government's financial assistance
10 under section 1513.

11 (3) The department shall waive the match increase under
12 paragraph (2) for a local transportation organization or
13 municipality if the local transportation organization or
14 municipality is the only entity willing to consolidate in a
15 region and no consolidation takes place.

16 (c) Funding for merger and consolidation incentives.---A
17 capital project that is needed to support a local transportation
18 organization that has agreed to merge and consolidate operations
19 and administration to achieve cost and service efficiencies
20 shall be eligible for financial assistance under this chapter.
21 The application for financial assistance must:

22 (1) identify the efficiencies in a merger and
23 consolidation plan; and

24 (2) include the expected dollar savings that will result
25 from the merger and consolidation.

26 Section 6. Section 1514 of Title 74 is amended by adding a
27 subsection to read:

28 § 1514. Asset improvement program.

29 * * *

30 (e.1) Distribution.--The department shall allocate financial

1 assistance under this section on a percentage basis of available
2 funds each fiscal year as follows:

3 (1) The local transportation organization organized and
4 existing under Chapter 17 (relating to metropolitan
5 transportation authorities) as the primary provider of public
6 passenger transportation for the counties of Philadelphia,
7 Bucks, Chester, Delaware and Montgomery, shall receive 69.4%
8 of the funds available for distribution under this section.

9 (2) The local transportation organization organized and
10 existing under the act of April 6, 1956 (1955 P.L.1414,
11 No.465), known as the Second Class County Port Authority Act,
12 as the primary provider of public transportation for the
13 county of Allegheny, shall receive 22.6% of the funds
14 available for distribution under this section.

15 (3) Other local transportation organizations organized
16 and existing as the primary providers of public passenger
17 transportation for the counties of this Commonwealth not
18 identified under paragraph (1) or (2) shall receive 8% of the
19 funds available for distribution under this section. The
20 department shall allocate the funds under this paragraph
21 among the local transportation organizations.

22 (4) Notwithstanding paragraphs (1), (2) and (3) and
23 before distributing the funds under paragraph (1), (2) or
24 (3), the department shall set aside 5% of the funds available
25 for distribution under this section for discretionary use and
26 distribution by the secretary.

27 * * *

28 Section 7. Sections 1516(b) and (e) of Title 74 are amended
29 to read:

30 § 1516. Programs of Statewide significance.

1 * * *

2 (b) Persons with disabilities.--The department shall
3 establish and administer a program providing reduced fares to
4 persons with disabilities on community transportation services
5 and to provide financial assistance for start-up, administrative
6 and capital expenses related to reduced fares for persons with
7 disabilities. All of the following shall apply:

8 (1) A community transportation system operating in the
9 Commonwealth other than in [counties of the first and second
10 class] a county of the first class may apply for financial
11 assistance under this subsection.

12 (2) The department may award financial assistance under
13 this subsection for program start-up and for continuing
14 capital expenses to offset administrative and capital
15 expenses. For community transportation trips made by eligible
16 persons with disabilities, financial assistance may be
17 awarded to an eligible community transportation system to
18 reimburse the system for up to 85% of the fare established
19 for the general public for each trip which is outside of
20 fixed-route and paratransit service areas and not eligible
21 for funding from any other program or funding source. The
22 person making the trip or an approved third-party sponsor
23 shall contribute the greater of 15% of the fare established
24 for the general public or the Americans with Disabilities Act
25 complementary paratransit fare.

26 * * *

27 (e) Technical assistance and demonstration.--The department
28 is authorized to provide financial assistance under this section
29 for technical assistance, research and short-term demonstration
30 or emergency projects. All of the following shall apply:

1 (1) A local transportation organization or an agency or
2 instrumentality of the Commonwealth may apply to the
3 department for financial assistance under this subsection.

4 (2) Financial assistance provided under this subsection
5 may be used for reimbursement for any approved operating or
6 capital costs related to technical assistance and
7 demonstration program projects. Financial assistance for
8 short-term demonstration projects may be provided at the
9 department's discretion on an annual basis based on the level
10 of financial commitment provided by the award recipient to
11 provide ongoing future funding for the project as soon as the
12 project meets the criteria established by the department and
13 the award recipient. Financial assistance for this purpose
14 shall not be provided for more than three fiscal years.
15 Financial assistance may be provided to meet any short-term
16 emergency need that requires immediate attention and cannot
17 be funded through other sources.

18 (3) Financial assistance under this subsection provided
19 to a local transportation organization shall be matched by
20 local or private cash funding in an amount not less than
21 3.33% of the amount of the financial assistance being
22 provided. The sources of funds for the local match shall be
23 subject to the requirements of section 1513(d) (3) (relating
24 to operating program).

25 (4) As follows:

26 (i) For short-term demonstration projects awarded
27 financial assistance under this subsection, the
28 department shall determine if the demonstration project
29 was successful based upon the performance criteria
30 established prior to the commencement of the

1 demonstration project and approved by the department.

2 (ii) If the department determines that the
3 demonstration project was successful, the local
4 transportation organization or agency or instrumentality
5 of the Commonwealth that conducted the demonstration
6 project shall be eligible to apply for and receive funds
7 under section 1513 to sustain and transition the
8 demonstration project into regular public passenger
9 transportation service.

10 (iii) During the first year in which the
11 demonstration project is eligible for and applies for
12 financial assistance under section 1513, the local
13 transportation organization or agency or instrumentality
14 of the Commonwealth that conducted the demonstration
15 project and transitioned it to regular public passenger
16 transportation service shall be eligible to receive
17 financial assistance up to 65% of the transportation
18 service's prior fiscal year operating costs or expenses
19 for the service as an initial base operating allocation.

20 (iv) The initial base operating allocation shall be
21 taken from the growth under section 1513 over the prior
22 year before distributing the remainder of the formula
23 described in section 1513.

24 Section 8. Section 1517 of Title 74 is repealed:

25 [§ 1517. Capital improvements program.

26 (a) Eligibility.--A local transportation organization may
27 apply for financial assistance under this section.

28 (b) Applications.--The department shall establish the
29 contents of the application for the program established under
30 this section. The information shall be in addition to

1 information required under section 1507 (relating to application
2 and approval process).

3 (c) Distribution formula.--The department shall award
4 financial assistance under this section based on the number of
5 passengers. The actual amount awarded to a local transportation
6 organization under this subsection shall be calculated as
7 follows:

8 (1) Multiply the local transportation organization's
9 passengers by the total amount of funding available under
10 this section.

11 (2) Divide the product under paragraph (1) by the sum of
12 the passengers for all qualifying local transportation
13 organizations.

14 (d) Payments.--Financial assistance under this section shall
15 be paid to local transportation organizations at least
16 quarterly.

17 (e) Reduction in financial assistance.--Financial assistance
18 provided to a local transportation organization under this
19 section shall be reduced by any financial assistance received
20 previously under this section which has not been spent or
21 committed in a contract within three years of its receipt.]

22 Section 9. Title 74 is amended by adding a chapter to read:

23 CHAPTER 21

24 MULTIMODAL TRANSPORTATION FUNDING

25 Sec.

26 2101. Multimodal Transportation Fund.

27 2102. Deposits to fund.

28 2103. Use of revenue.

29 2104. Distribution of revenue.

30 2105. Project selection criteria and agreement.

1 2106. Local match.

2 § 2101. Multimodal Transportation Fund.

3 A special fund is established within the State Treasury to be
4 known as the Multimodal Transportation Fund. Money in the fund
5 is appropriated to the department for the purposes authorized
6 under this chapter.

7 § 2102. Deposits to fund.

8 The following shall be deposited in the Multimodal
9 Transportation Fund:

10 (1) Thirty million dollars of the revenue deposited in
11 the Public Transportation Trust Fund under section 1506(b)(1)
12 (relating to fund).

13 (2) Twenty-three percent of the revenues deposited in
14 the fund in accordance with 75 Pa.C.S. § 1904 (b)(2)
15 (relating to collection and disposition of fees and moneys).

16 (3) For fiscal year 2015-2016 and each fiscal year
17 thereafter, \$20,000,000 from the oil company franchise tax
18 imposed under 75 Pa.C.S. § 9502 (relating to imposition of
19 tax) to be expended in accordance with section 11 of Article
20 VIII of the Constitution of Pennsylvania.

21 (4) Other appropriations, deposits or transfers to the
22 fund.

23 (5) The interest earned on money in the fund.

24 § 2103. Use of revenue.

25 Money in the fund shall be used by the department as follows:

26 (1) To provide grants through the department's programs
27 relating to aviation, rail freight, passenger rail, port and
28 waterway, bicycle and pedestrian facilities, road and bridge
29 and other transportation modes.

30 (2) For costs incurred by the department in the

1 administration of a programs specified under paragraph (1).

2 (3) To incur costs for activities initiated or
3 undertaken directly by the department related to the programs
4 under paragraph (1).

5 § 2104. Distribution of revenue.

6 The revenue deposited in the fund shall be distributed as
7 follows:

8 (1) Six million dollars shall be designated for programs
9 related to aviation.

10 (2) Six million dollars shall be designated for programs
11 related to rail freight.

12 (3) Four million dollars shall be designated for
13 programs related to rail passengers.

14 (4) Four million dollars shall be designated for
15 programs related to ports and waterways.

16 (5) The remaining revenues shall be designated for
17 eligible programs under this chapter.

18 § 2105. Project selection criteria and agreement.

19 The department shall award grants under this chapter on a
20 competitive basis. The department may not reserve, designate or
21 set aside a specific level of funds or percentage of funds to an
22 applicant prior to the completion of the application process,
23 nor may the department designate a set percentage of funds to an
24 applicant.

25 § 2106. Local match.

26 Financial assistance under this section shall be matched by
27 county, municipal or private funding in an amount not less than
28 30% of the non-Federal share of the project cost. Matching funds
29 from a county or municipality shall only consist of cash
30 contributions provided by one or more counties or

1 municipalities.

2 Section 10. The definitions of "electronic toll collection,"
3 "owner" and "violation enforcement system" in section 8102 of
4 Title 74 are amended and the section is amended by adding
5 definitions to read:

6 § 8102. Definitions.

7 The following words and phrases when used in this chapter
8 shall have the meanings given to them in this section unless the
9 context clearly indicates otherwise:

10 "Automated toll collection." A system of collecting tolls or
11 charges by a device that is capable of accepting coin, currency,
12 cards or tokens for payment of the prescribed toll or charge.

13 "Certificate of passage." A document signed and certified by
14 a vehicle owner, operator or lessee evidencing his or her
15 agreement to pay the prescribed toll plus a processing fee to
16 the commission within a prescribed period.

17 "Certificate of passage toll collection." A system of
18 collecting a toll or charge by providing a vehicle owner,
19 operator or lessee with a certificate of passage at a toll
20 collection facility if the owner, operator or lessee does not
21 have sufficient funds to pay the prescribed toll at the time he
22 or she passes through the toll collection facility.

23 * * *

24 "Electronic toll collection." A system of collecting tolls
25 or charges [that is capable of charging an account holder for
26 the prescribed toll] by electronic transmission of information
27 [between], including by use of a device on a vehicle and a
28 device [in a toll lane] at a toll collection facility, open road
29 tolling, video tolling system or other similar structural or
30 technological enhancements related to tolling.

1 * * *

2 "Owner." Except as provided under section [8117(e)] 8117
3 (relating to [electronic] toll collection), [an individual] a
4 person, copartnership, association or corporation having title
5 or interest in a property right, easement or franchise
6 authorized to be acquired under this chapter.

7 * * *

8 "Toll collection." A system of collecting tolls or charges
9 that is capable of charging an account holder or vehicle owner,
10 operator or lessee for the prescribed toll by automated toll
11 collection, certificate of passage toll collection or electronic
12 toll collection.

13 * * *

14 "Video tolling system." As follows:

15 (1) A vehicle sensor or other electronic toll collection
16 device, placed in a location to work in conjunction with a
17 toll collection facility, which automatically produces a
18 videotape or photograph, microphotograph or other recorded
19 image of the vehicle or vehicle license plate at the time the
20 vehicle is used or operated on the tolled facility in order
21 to collect tolls or detect violations of the toll collection
22 regulations or rules.

23 (2) The term includes technology other than identified
24 under paragraph (1) which identifies a vehicle by
25 photographic, electronic or other method.

26 "Violation." The failure to pay the prescribed toll as
27 provided under section 8117 (a) (1) (relating to toll
28 collection).

29 ["Violation enforcement system." A vehicle sensor, placed in
30 a location to work in conjunction with a toll collection

1 facility, which automatically produces a videotape or
2 photograph, microphotograph or other recorded image of the rear
3 portion of each vehicle at the time the vehicle is used or
4 operated in violation of the toll collection regulations. The
5 term includes any other technology which identifies a vehicle by
6 photographic, electronic or other method.]

7 Section 11. Sections 8105(b), 8117 and 9110(f)(5) of Title
8 74 are amended to read:

9 § 8105. Commission.

10 * * *

11 (b) Vacancies and terms.--

12 (1) Notwithstanding any other law, any vacancy in the
13 membership of the commission shall be filled by appointment
14 of the Governor by and with the advice and consent of two-
15 thirds of the members elected to the Senate.

16 (2) The appointed member shall serve for a term of four
17 years. Upon the expiration of this term, the appointed member
18 may continue to hold office for 90 days or until his
19 successor shall be duly appointed and qualified, whichever is
20 shorter. A member may not serve more than two terms.

21 * * *

22 § 8117. [Electronic toll] Toll collection.

23 (a) Liability of owner.--

24 [(1) If an operator of a vehicle fails to pay the
25 prescribed toll at any location where tolls are collected by
26 means of electronic toll collection, the owner of the vehicle
27 shall be liable to the commission for failure of the operator
28 of the vehicle to comply with this section if the violation
29 is evidenced by information obtained from a violation
30 enforcement system.

1 (2) If a violation of this section is committed, the
2 registration plate number of the vehicle as recorded by a
3 violation enforcement system shall establish an inference
4 that the owner of the vehicle was then operating the vehicle.
5 The inference shall be overcome if the owner does all of the
6 following:

7 (i) Testifies that the owner was not operating the
8 vehicle at the time of the violation.

9 (ii) Submits to an examination as to who at the time
10 was operating the vehicle.

11 (iii) Reveals the name and residence address, if
12 known, of the operator of the vehicle.

13 (3) If an action or proceeding is commenced in a county
14 other than that of the residence of the owner, a verified
15 written statement setting forth the facts prescribed under
16 paragraph (2)(i), (ii) and (iii) shall suffice to overcome
17 the inference.

18 (4) If the inference is overcome, the operator of the
19 vehicle may be held liable under this section for failure to
20 pay the prescribed toll in the same manner as if the operator
21 were the owner of the vehicle.

22 (b) Imposition of liability.--Liability under this section
23 shall be imposed upon an owner for a violation of this section
24 or the regulations of the commission occurring within the
25 territorial limits of this Commonwealth. If a violation is
26 committed as evidenced by a violation enforcement system, the
27 following shall apply:

28 (1) The commission or an authorized agent or employee
29 must prepare and mail a notice of violation as follows:

30 (i) The notice of violation must be sent by first

1 class mail to each person alleged to be liable as an
2 owner for a violation of this section.

3 (ii) The notice must be mailed at the address shown
4 on the vehicle registration or at the address of the
5 operator, as applicable. Notice must be mailed no later
6 than 60 days after:

7 (A) the alleged conduct; or

8 (B) the date the inference is overcome under
9 subsection (a) (2).

10 (iii) Personal service is not required.

11 (iv) The notice must contain all of the following:

12 (A) Information advising the person charged of
13 the manner and time in which the liability alleged in
14 the notice may be contested.

15 (B) A warning advising the person charged that
16 failure to contest in the manner and time provided
17 shall be deemed an admission of liability and that a
18 default judgment may be entered on the notice.]

19 (1) Notwithstanding any other provision of law, if an
20 operator of a vehicle fails to pay the prescribed toll at a
21 prescribed location by means of toll collection or as
22 directed by official signs posted on the tolled facility in
23 accordance with the rules or regulations instituted for toll
24 collection by the commission, the owner of the vehicle shall
25 be liable to the commission or its authorized agent for
26 failure of the operator of the vehicle to comply with this
27 section if the violation is evidenced by any of the
28 following:

29 (i) Information obtained from a video tolling
30 system.

1 (ii) A certificate of passage that has not been paid
2 within the prescribed time period.

3 (2) Except for an operator who utilizes certificates of
4 passage toll collection, if an operator of a vehicle fails to
5 pay the prescribed toll as provided under paragraph (1), the
6 registration plate number of the vehicle as recorded by a
7 video tolling system shall establish an inference that the
8 owner of the vehicle was operating the vehicle at the time of
9 the violation. The inference shall be overcome if the owner
10 does all of the following:

11 (i) Testifies that the owner was not operating the
12 vehicle at the toll facility at the time of the
13 violation.

14 (ii) Submits to an examination as to who was
15 operating the vehicle at the time of the violation.

16 (iii) Reveals the name and residence address, if
17 known, of the operator of the vehicle or demonstrates to
18 the reasonable satisfaction of the commission that the
19 vehicle was misidentified.

20 (3) If an action or proceeding is commenced in a county
21 other than that of the residence of the owner, a verified
22 written statement under 18 Pa.C.S. § 4904 (relating to
23 unsworn falsifications to authorities) setting forth the
24 facts prescribed under paragraph (2) shall suffice to
25 overcome the inference.

26 (4) A court of competent jurisdiction shall admit as
27 prima facie evidence the verified statement relied upon under
28 paragraph (3). The operator of the vehicle may be held liable
29 under this section for failure to pay the prescribed toll in
30 the same manner as if the operator were the owner of the

1 vehicle if any of the following apply:

2 (i) The inference is overcome.

3 (ii) The operator of the vehicle utilized
4 certificate of passage toll collection.

5 (b) Imposition of liability.--Liability under this section
6 shall be imposed upon an owner, including a person, lessee or
7 operator who becomes liable in the same manner as if the person
8 was an owner under this section, for a violation of this section
9 or the regulations or rules of the commission occurring within
10 the territorial limits of this Commonwealth. If a violation is
11 committed as evidenced by information obtained from a video
12 tolling system or certificate of passage, the following shall
13 apply:

14 (1) The commission or an authorized agent or employee
15 shall prepare and mail a notice of violation as follows:

16 (i) The notice of violation shall be sent by first
17 class mail to each person alleged to be liable as an
18 owner for a violation of this section.

19 (ii) The notice shall be mailed to the address shown
20 on the vehicle registration or to the address of the
21 operator, as applicable. Notice shall be mailed no later
22 than 120 days after one of the following:

23 (A) The date of the alleged conduct.

24 (B) The date the inference is overcome in
25 subsection (a) (2).

26 (C) The date that a lessor provides the
27 information required under subsection (b) (3) in a
28 manner that the lessee of the vehicle on the date of
29 violation is deemed to be the owner of the vehicle
30 for purposes of this section.

1 (iii) Personal service of the notice shall not be
2 required.

3 (iv) The notice shall include all of the following:

4 (A) The date, time and location of the alleged
5 violation and, if available, the license plate number
6 of the vehicle.

7 (B) Information advising the person charged of
8 the manner and time in which the liability alleged in
9 the notice may be contested.

10 (C) A warning advising the person charged that
11 failure to contest in the manner and time provided
12 shall be deemed an admission of liability, that a
13 default judgment may be entered on the notice and
14 that the failure to pay all unpaid tolls,
15 administrative fees and costs may result in
16 suspension of registration of a vehicle registered to
17 the person by the department.

18 (v) A single notice with respect to multiple
19 violations may be sent if the notice meets the
20 requirements of this paragraph.

21 (1.1) A manual or automatic record of mailing prepared
22 in the ordinary course of business shall be prima facie
23 evidence of the mailing of notice.

24 (2) If an owner of a vehicle or an owner that is a
25 lessor of a vehicle receives a notice of violation under this
26 section for any time period during which the vehicle was
27 reported to a police department as having been stolen, it
28 shall be a defense to the allegation of liability that the
29 vehicle had been reported to the police as having been stolen
30 prior to the time the violation occurred and that the vehicle

1 had not been recovered by the time of the violation. For
2 purposes of asserting the defense under this paragraph, it
3 shall be sufficient that a certified copy of the police
4 report on the stolen vehicle be sent by first class mail to
5 the commission or its authorized agent within 30 days after
6 receiving the original notice of violation. Failure to send
7 the information within the time limit under this paragraph
8 shall render the owner or lessor liable for the penalty
9 prescribed by this section.

10 (3) An owner that is a lessor of a vehicle as to which a
11 notice of violation was issued under paragraph (1) shall not
12 be liable for a violation if the owner sends to the
13 commission or its authorized agent a copy of the rental,
14 lease or other contract document covering the vehicle on the
15 date of the violation, with the name and address of the
16 lessee clearly legible to the commission, within 30 days
17 after receiving the original notice of violation. Failure to
18 send the information within the time limit under this
19 paragraph shall render the lessor liable for the penalty
20 prescribed by this section. If the lessor complies with the
21 provisions of this section, the lessee of the vehicle on the
22 date of the violation shall be deemed to be the owner of the
23 vehicle for purposes of this section and shall be subject to
24 liability for the penalty under this section.

25 (4) A certified report or a facsimile report of an
26 authorized agent or employee of the commission reporting a
27 violation of this section or rules or regulations of the
28 commission based upon [the recorded information obtained from
29 a violation enforcement system] any of the following shall be
30 prima facie evidence of the facts contained in the report and

1 shall be admissible as an official record of regularly
2 conducted activity of the commission kept in the ordinary
3 course of business in any proceeding charging a violation of
4 this section or the toll collection rules or regulations of
5 the commission:

6 (i) The recorded information obtained from a video
7 tolling system.

8 (ii) A certificate of passage.

9 (5) Notwithstanding any other provision of law,
10 videotapes, photographs, microphotographs, other recorded
11 images, written records, reports or facsimiles prepared
12 pursuant to this section shall be for the exclusive use of
13 the commission, its authorized agents, its employees and law
14 enforcement officials for the purpose of discharging duties
15 under this section and the rules or regulations of the
16 commission. The information shall not be deemed a public
17 record under the act of [June 21, 1957 (P.L.390, No.212),
18 referred to as the Right-to-Know Law] February 14, 2008
19 (P.L.6, No.3), known as the Right-to-Know Law. The
20 information shall not be discoverable by court order or
21 otherwise; nor shall it be offered in evidence in any action
22 or proceeding which is not directly related to a violation of
23 this section, the rules or regulations of the commission or
24 indemnification for liability imposed pursuant to this
25 section. The restrictions set forth in this paragraph:

26 (i) shall not be deemed to preclude a court of
27 competent jurisdiction from issuing an order directing
28 that the information be provided to law enforcement
29 officials if the information is reasonably described and
30 is requested solely in connection with a criminal law

1 enforcement action;

2 (ii) shall not be deemed to preclude the exchange of
3 the information between any entities with jurisdiction
4 over or which operate [an electronic] a toll collection
5 system in this Commonwealth or any other jurisdiction;
6 and

7 (iii) shall not be deemed to prohibit the use of
8 information exclusively for the purpose of billing
9 electronic toll collection account holders and other
10 users of toll collection, deducting toll charges from the
11 account of an account holder, enforcing toll collection
12 laws and related rules and regulations or enforcing the
13 provisions of an account holder agreement.

14 (6) An imposition of liability under this section must
15 be based upon a preponderance of evidence.

16 (7) An imposition of liability pursuant to this section
17 shall not be deemed a conviction of an owner and shall not be
18 made part of the motor vehicle operating record of the person
19 upon whom the liability is imposed, nor shall it be
20 considered in the provision of motor vehicle insurance
21 coverage.

22 (8) An owner that admits, is found liable or fails to
23 respond to the notice of violation for a violation of this
24 section shall be civilly liable to the commission or tolling
25 entity as defined in 75 Pa.C.S. § 1380(j) (relating to
26 suspension of registration upon unpaid tolls) for [all of]
27 the following:

28 (i) Either:

29 (A) the amount of the toll evaded or attempted
30 to be evaded if the amount can be determined; or

1 (B) the maximum toll from the farthest point of
2 entry on the [Pennsylvania Turnpike] tolled facility
3 to the actual point of exit if the amount of the toll
4 evaded or attempted to be evaded cannot be
5 determined.

6 (ii) [A reasonable administrative fee not to exceed
7 \$35 per notification.] Fees and costs in an amount
8 sufficient to cover the reasonable costs of collecting
9 the amounts under subparagraph (i) but no greater than an
10 amount set by the commission or its authorized agent or
11 tolling entity as defined in 75 Pa.C.S. § 1380(j).

12 (8.1) The following shall apply:

13 (i) Upon failure of an owner, operator or lessee to
14 pay the amount, fee and cost imposed under paragraph (8),
15 the commission or its authorized agent shall send to the
16 owner, operator or lessee a notice of any toll evasion
17 violation setting forth the outstanding unpaid tolls and
18 administrative fees and costs due to the commission and
19 meeting the requirements of paragraph (1).

20 (ii) The department shall suspend the registration
21 of a vehicle upon the notification from the commission or
22 its authorized agent that the statutory owner or
23 registrant of the vehicle has failed to pay or defaulted
24 in the payment of six or more violations issued under
25 subsection (a)(1) or incurred unpaid tolls or
26 administrative fees or costs that total a minimum of
27 \$500. The suspension shall not be construed to limit the
28 commission's or its authorized agent's ability to recoup
29 tolls, administrative fees or costs.

30 (iii) Prior to notifying the department under

1 subparagraph (iv), the commission or its authorized agent
2 shall provide the statutory owner or registrant written
3 notice by first class mail of its intent to seek
4 suspension of the vehicle registration under this section
5 and afford the statutory owner or registrant with the
6 opportunity to be heard during an administrative
7 proceeding.

8 (iv) The following shall apply:

9 (A) No sooner than 30 days after mailing the
10 notice required under subparagraph (iii), the
11 commission or its authorized agent may notify the
12 department electronically, in a format prescribed by
13 the department, if a statutory owner or registrant
14 fails to respond, fails to pay, defaults in payment
15 of six or more violations issued under subsection (a)
16 (1) or incurs unpaid tolls or administrative fees or
17 costs that total a minimum of \$500.

18 (B) If a notice has been provided under clause
19 (A) and all of the violations are subsequently paid,
20 dismissed, reversed on appeal or canceled, the
21 commission or its authorized agent shall notify the
22 department electronically, in a format prescribed by
23 the department, of the disposition of the violation
24 and shall provide the statutory owner or registrant
25 with a release from the suspension.

26 (v) A suspension under subparagraph (ii) shall
27 continue until the department receives notice from the
28 commission or its authorized agent that all of the
29 violations are paid, dismissed, reversed on appeal or
30 canceled or the defendant enters into an agreement with

1 the commission or its authorized agent to make
2 installment payments for the tolls, administrative fees
3 and costs imposed and pays the fee prescribed under 75
4 Pa.C.S. § 1960 (relating to reinstatement of operating
5 privilege or vehicle registration), except that the
6 suspension may be reimposed by the department if the
7 defendant fails to make regular installment payments.

8 (vi) The department shall impose an additional
9 period of registration suspension if, subsequent to the
10 issuance of a suspension under subparagraph (ii), and
11 prior to the restoration of the registration, the
12 department is notified by the commission or its
13 authorized agent that the statutory owner or registrant
14 has failed to respond, failed to pay or defaulted in the
15 payment of an additional violation issued under
16 subsection (a) (1).

17 (vii) A suspension may not be imposed based upon a
18 violation of subsection (a) (1) more than three years
19 after the violation is committed.

20 (9) Nothing in this section shall be construed to limit
21 the liability of the operator of a vehicle for a violation of
22 this section or of the rules or regulations of the
23 commission.

24 (c) Placement of electronic toll collection device.--An
25 electronic toll collection device which is affixed to the front
26 windshield of a vehicle in accordance with the rules or
27 regulations of the commission shall not be deemed to constitute
28 a violation of 75 Pa.C.S. § 4524 (relating to windshield
29 obstructions and wipers).

30 (d) Privacy of electronic toll collection account holder

1 information.--

2 (1) Except as set forth under paragraph (2),
3 notwithstanding any other provision of law, all of the
4 following apply to information kept by the commission, its
5 authorized agents or its employees which is related to the
6 account of an electronic toll collection system account
7 holder:

8 (i) The information shall be for the exclusive use
9 of the commission, its authorized agents, its employees
10 and law enforcement officials for the purpose of
11 discharging their duties pursuant to this section and the
12 rules or regulations of the commission. This subparagraph
13 includes names, addresses, account numbers, account
14 balances, personal financial information, credit card
15 information, vehicle movement records and other
16 information compiled from transactions with the account
17 holders.

18 (ii) The information shall not be deemed a public
19 record under the Right-to-Know Law, nor shall it be
20 discoverable by court order or otherwise or be offered in
21 evidence in any action or proceeding which is not
22 directly related to the discharge of duties under this
23 section, the rules or regulations of the commission or a
24 violation of an account holder agreement.

25 (2) Paragraph (1) shall not be deemed to do any of the
26 following:

27 (i) Preclude a court of competent jurisdiction from
28 issuing an order directing that the information be
29 provided to law enforcement officials if the information
30 is reasonably described and is requested solely in

1 connection with a criminal law enforcement action.

2 (ii) Preclude the exchange of the information
3 between any entities with jurisdiction over or which
4 operate an electronic toll collection system in this
5 Commonwealth or any other jurisdiction.

6 (iii) Prohibit the use of the information
7 exclusively for the purpose of billing electronic toll
8 collection account holders, deducting toll charges from
9 the account of an account holder, enforcing toll
10 collection laws and related rules or regulations or
11 enforcing the provisions of an account holder agreement.

12 (d.1) Temporary regulations.--Notwithstanding any other law,
13 regulations promulgated by the commission during the two years
14 following the effective date of this subsection shall be deemed
15 temporary regulations which shall expire no later than three
16 years following the effective date of this subsection or upon
17 promulgation of final regulations. The temporary regulations
18 shall not be subject to any of the following:

19 (1) Sections 201, 202 and 203 of the act of July 31,
20 1968 (P.L.769, No.240), referred to as the Commonwealth
21 Documents Law.

22 (2) The act of June 25, 1982 (P.L.633, No.181), known as
23 the Regulatory Review Act.

24 (e) [Definition.--As used in this section, the term "owner"
25 means any person, corporation, firm, partnership, agency,
26 association, organization or lessor that, at the time a vehicle
27 is operated in violation of this section or regulations of the
28 commission:

29 (1) is the beneficial or equitable owner of the vehicle;

30 (2) has title to the vehicle; or

1 (3) is the registrant or coregistrant of the vehicle
2 registered with the department or a comparable agency of
3 another jurisdiction or uses the vehicle in its vehicle
4 renting or leasing business. The term includes a person
5 entitled to the use and possession of a vehicle subject to a
6 security interest in another person.] Definitions.--As used
7 in this section, the following words and phrases shall have
8 the meanings given to them in this subsection unless the
9 context clearly indicates otherwise:

10 "Owner." As follows:

11 (1) A person, corporation, firm, partnership, agency,
12 association, organization, governmental entity or lessor
13 that, at the time a vehicle is operated in violation of this
14 section or rules or regulations of the commission, meets any
15 of the following:

16 (i) Is the beneficial or equitable owner of the
17 vehicle.

18 (ii) Has title to the vehicle.

19 (iii) Is the registrant or coregistrant of the
20 vehicle registered with the department or a comparable
21 agency of another jurisdiction or uses the vehicle in its
22 vehicle renting or leasing business.

23 (2) The term includes a person entitled to the use and
24 possession of a vehicle subject to a security interest in
25 another person.

26 "Statutory owner." The term shall have the same meaning as
27 given to the term "owner" in 75 Pa.C.S. § 102 (relating to
28 definitions).

29 § 9110. Public-private transportation partnership agreement.

30 * * *

1 (f) User fees.--A provision establishing whether user fees
2 will be imposed for use of the public-private transportation
3 project and the basis by which any user fees will be imposed and
4 collected shall be determined in the public-private
5 transportation partnership agreement. If a user fee is proposed
6 as part of the public-private transportation project, a
7 proprietary public entity shall include provisions in the
8 agreement that authorize the collection of user fees, tolls,
9 fares or similar charges, including provisions that:

10 * * *

11 (5) In the event an operator of a vehicle fails to pay
12 the prescribed toll or user fee at any location on a public-
13 private transportation project where tolls or user fees are
14 collected by means of an electronic or other automated or
15 remote form of collection, the collection provisions of
16 section 8117 (relating to [electronic] toll collection) shall
17 apply except that the development entity shall possess all of
18 the rights, roles, limitations and responsibilities of the
19 Pennsylvania Turnpike Commission.

20 * * *

21 Section 12. Title 74 is amended by adding chapters to read:

22 CHAPTER 92

23 TRAFFIC SIGNALS

24 Sec.

25 9201. Definitions.

26 9202. Maintenance agreement.

27 § 9201. Definitions.

28 The following words and phrases when used in this chapter
29 shall have the meanings given to them in this section unless the
30 context clearly indicates otherwise:

1 "Department." The Department of Transportation of the
2 Commonwealth.

3 "Municipality." A city, borough, town or township.

4 "Maintenance." The activity of keeping a traffic signal in
5 proper working condition during the useful life of the traffic
6 signal.

7 "Replace." The modernization of an existing traffic signal
8 within a designated traffic corridor.

9 "Synchronize." The coordination of all traffic signals
10 within a designated traffic corridor for the purpose of
11 operating as a single system.

12 "Timing." The programming of traffic signals within a
13 designated traffic corridor in order to synchronize the signals.

14 § 9202. Maintenance agreement.

15 (a) Agreement.--A municipality may enter into an agreement
16 with the department to replace, synchronize and time traffic
17 signals located within a designated traffic corridor. The terms
18 of the agreement may specify that the municipality provide
19 services to the department. The agreement shall not exceed the
20 time period of the useful life of the traffic signals. The
21 municipality shall, during the duration of the agreement,
22 properly maintain and time the traffic signals in accordance
23 with the agreement.

24 (b) Intergovernmental cooperation.--Two or more
25 municipalities may enter into an agreement with the department
26 if a designated corridor is located in two or more
27 municipalities.

28 (c) Maintenance.--If the department determines that one or
29 more traffic signals located in a traffic corridor is not being
30 maintained or timed in accordance with an agreement under

1 subsection (a), the department shall provide written notice to
2 all municipalities subject to the agreement no less than 60 days
3 prior to taking any action to correct the improper maintenance
4 and timing. The written notice shall specify the maintenance and
5 timing deficiencies that are to be corrected.

6 (1) A municipality subject to the agreement under
7 subsection (a) shall have 60 days to correct the deficiencies
8 contained in the written notice or to contest, in writing,
9 the findings of the department within 30 days of receipt of
10 the written notice.

11 (2) The requirement that the municipality correct the
12 deficiencies within 60 days of receipt of the written notice
13 shall be temporarily stayed.

14 (3) A municipality that contests the deficiencies
15 specified in the written notice shall have 30 days to enter
16 into an agreement with the department related to the
17 deficiencies specified in the written notice.

18 (4) If the department and the municipality do not enter
19 into an agreement under paragraph (3), the department and the
20 municipality shall agree to binding arbitration with a civil
21 engineer licensed by the Commonwealth who has substantial
22 experience in traffic engineering. The engineer may not be
23 under contract with the department or municipality or
24 municipalities.

25 (d) Failure of municipality to perform.--If a municipality
26 that has entered into an agreement with the department under
27 subsection (a) fails to meet the requirements of subsection (c)
28 (1) or (2), the department may take action to correct the
29 deficiencies specified in the notice under subsection (c).

30 (e) Payment for failure to correct deficiencies.--If the

1 department takes action under subsection (c), the department may
2 deduct the actual costs of correcting the deficiencies in
3 maintenance and timing from the payments made to the
4 municipality under the act of June 1, 1956 (1955 P.L.1944,
5 No.655), referred to as the Liquid Fuels Tax Municipal
6 Allocation Law, and 75 Pa.C.S. Chs. 89 (relating to Pennsylvania
7 Turnpike) and 95 (relating to taxes for highway maintenance and
8 construction).

9 CHAPTER 93

10 BRIDGE BUNDLING PROGRAM

11 Sec.

12 9301. Definitions.

13 9302. Bundling authorization.

14 9303. Bridge Bundling Program.

15 9304. Grant limitation exceptions.

16 § 9301. Definitions.

17 The following words and phrases when used in this chapter
18 shall have the meanings given to them in this section unless the
19 context clearly indicates otherwise:

20 "Bridge budget act." The act of December 8, 1982 (P.L.848,
21 No. 235), known as the Highway-Railroad and Highway Bridge
22 Capital Budget Act for 1982-1983.

23 "Department." The Department of Transportation of the
24 Commonwealth.

25 "Determination." A decision by the department as to the
26 eligibility, recommendation and inclusion in the program.

27 "Local government." A county, city, borough, town or
28 township.

29 "Program." The Bridge Bundling Program.

30 § 9302. Bundling authorization.

1 Notwithstanding any other law, the department is authorized
2 to bundle the design and construction of highway bridges owned
3 by the Commonwealth or local governments as provided under this
4 chapter.

5 § 9303. Bridge Bundling Program.

6 (a) Establishment.--The Bridge Bundling Program is
7 established within the department.

8 (b) Purpose.--The purpose of the program is to save costs
9 and time by allowing multiple highway bridges to be replaced or
10 rehabilitated as one project for design and construction
11 purposes.

12 (c) Eligibility.--Bridges shall be eligible for the program
13 if multiple bridges meet all of the following:

14 (1) Are within geographical proximity to each other.

15 (2) Are of similar size or design.

16 (3) Inclusion in the program will meet the purpose of
17 the program.

18 (d) Implementation.--The department shall implement the
19 program as follows:

20 (1) The department shall annually develop a preliminary
21 list from different regions of this Commonwealth, on a
22 rotating basis, of bridges meeting eligibility requirements.

23 (2) The department shall notify local governments owning
24 bridges recommended for inclusion in that year's program.

25 (3) Following notification from the department, a local
26 government shall have 60 days to agree or refuse
27 participation in the program. Failure to respond in writing
28 within 60 days shall be considered a refusal to participate
29 in the program.

30 (4) Based on the response from local governments under

1 paragraph (3), the department shall make a final
2 determination of bridges to be designed and constructed under
3 the program and provide a list to the appropriate planning
4 organizations for inclusion in lists of funded projects.

5 (4.1) A determination shall not be:

6 (i) considered to an adjudication under 2 Pa.C.S.
7 Chs. 5 Subch. A (relating to practice and procedure of
8 Commonwealth agencies) and 7 Subch. A (relating to
9 judicial review of Commonwealth agency action); and

10 (ii) appealable to the department or a court of law.

11 (5) The following shall apply:

12 (i) A local government that agrees to participate in
13 the program for one or more of its bridges that qualify
14 for the program must enter into an agreement with the
15 department. The agreement shall define the department's
16 responsibility for the design and construction of the
17 bridges and the continuing ownership and maintenance
18 responsibilities of the local government for the local
19 bridges replaced or rehabilitated under this program.

20 (ii) The local government shall have 90 days from
21 receipt of the agreement to execute the agreement.

22 (iii) Failure to return an agreement executed by
23 authorized local government officials shall be deemed a
24 refusal to participate in the program.

25 (6) Upon full execution of an agreement under the
26 program, the department shall manage the project design and
27 construction in a manner consistent with the purpose of the
28 program.

29 (f) Itemization.--Notwithstanding any other law, bridges
30 determined to be eligible and recommended for the program by the

1 department shall not require specific itemization in a capital
2 budget.

3 § 9304. Grant limitation exceptions.

4 (a) Exceptions.--Notwithstanding section 2(c) of the bridge
5 budget act, a local government shall not be required to pay any
6 local share of the costs.

7 (b) Nonparticipation.--Notwithstanding section 2(c) of the
8 bridge budget act, a local government with bridges that are
9 recommended for participation in the program which refuses to
10 participate in the program shall be required to pay 30% of the
11 non-Federal share of the costs for those local bridges.

12 Section 13. Section 1307(a), (a.1), (b) and (c) of Title 75
13 are amended and the section is amended by adding a subsection to
14 read:

15 § 1307. Period of registration.

16 (a) Staggered renewal system to be established.--The
17 department shall establish a system of staggered registration
18 renewal in a manner that an approximately equal number of
19 registrations will expire every month throughout [the year] a
20 two-year period. In order to implement and maintain the
21 staggered registration system, the department may prorate annual
22 registration fees over registration periods of from [6 to] 18 to
23 30 months.

24 (a.1) Seasonal registration.--Upon application on a form
25 prescribed by the department, the owner or lessee of a passenger
26 car, recreational motor vehicle, motorcycle, truck or farm
27 vehicle which does not have a gross vehicle weight rating of
28 more than 10,000 pounds may register the vehicle with the
29 department for a period of successive months of less than [one
30 year] two years. The applicant shall specify the period of

1 months during which the vehicle shall be registered. Except when
2 the department initially converts a currently valid [annual]
3 registration to a seasonal registration, the [annual] fee
4 prescribed for the vehicle by Chapter 19 (relating to fees)
5 shall be paid in full by the applicant regardless of the number
6 of months chosen for registration by the applicant. Upon receipt
7 of the appropriate fee and the properly completed form,
8 including all information required by this chapter, the
9 department shall issue a seasonal registration that shall expire
10 on the last day of the expiration month chosen by the
11 registrant. No insurer of a vehicle belonging to any owner or
12 lessee who obtains a seasonal registration and who applies for
13 or receives a reduced automobile insurance premium on account
14 thereof shall be required to provide any contractual coverage,
15 whether in the form of the provision of a defense or the payment
16 of first-party or third-party benefits or otherwise, to the
17 owner or lessee in connection with any event occurring during
18 that part of the [year] registration period in which the vehicle
19 is not registered; and such owner or lessee shall be treated for
20 all purposes, including, without limitation, ascertaining rights
21 to stack coverages and to uninsured and underinsured motorist
22 coverage, as a person who does not own that vehicle and has no
23 duty to carry financial responsibility on it for that part of
24 the [year] registration period.

25 (b) New registration.--A new registration is effective on
26 the date of issuance of a registration card by the department or
27 the date of issuance of a temporary registration card by an
28 authorized agent of the department under section 1310 (relating
29 to temporary registration cards). Except as otherwise provided
30 under this chapter, a new registration shall expire two years

1 after the last day of the month preceding either the date of
2 issuance of a registration card by the department or the date of
3 issuance of a temporary registration card by either the
4 department or an authorized agent of the department, whichever
5 occurs first.

6 (c) Renewal of registration.--A renewed registration shall
7 be effective on issuance by the department of a renewed
8 registration card. Except as otherwise provided under this
9 chapter, a renewed registration shall expire as follows:

10 (1) If a registration is renewed before two months have
11 elapsed since its scheduled expiration, the renewed
12 registration shall expire two years after the last day of the
13 month in which it had been scheduled to expire.

14 (2) If a registration is renewed after two months have
15 elapsed since expiration, the renewed registration shall
16 expire two years after the last day of the month preceding
17 the date of issuance of the renewed registration.

18 * * *

19 (g) International Registration Plan.--Vehicles registered
20 under the International Registration Plan shall be subject to
21 annual registration renewal.

22 Section 14. Section 1353 of Title 75 is amended to read:

23 § 1353. Preserve our heritage registration plate.

24 The department, in consultation with the Pennsylvania
25 Historical and Museum Commission, shall design a special
26 preserve our heritage registration plate. Upon receipt of an
27 application, accompanied by a fee of [\$35] \$54 which shall be in
28 addition to the annual registration fee, the department shall
29 issue the plate for a passenger car, motor home, trailer or
30 truck with a registered gross weight of not more than 10,000

1 pounds. The Historical Preservation Fund shall receive \$15 of
2 each additional fee for this plate.

3 Section 15. Section 1354 of Title 75 is repealed:

4 [§ 1354. Flagship Niagara commemorative registration plate.

5 (a) Plate.--The department, in consultation with the
6 Pennsylvania Historical and Museum Commission, shall design a
7 Flagship Niagara commemorative registration plate. Upon
8 application of any person, accompanied by a fee of \$35 which
9 shall be in addition to the annual registration fee, the
10 department shall issue the plate for a passenger car, motor
11 home, trailer or truck with a registered gross weight of not
12 more than 10,000 pounds.

13 (b) Use of fee.--Of each fee paid under subsection (a), \$15
14 shall be deposited into the Flagship Niagara Account, which is
15 established as a special account in the Historical Preservation
16 Fund of the Pennsylvania Historical and Museum Commission. The
17 commission shall administer the account as follows:

18 (1) To preserve, maintain and operate the Flagship
19 Niagara.

20 (2) After making a determination that there has been
21 compliance with paragraph (1) for a fiscal year, to
22 contribute to the fund.]

23 Section 16. Sections 1355 and 1358 of Title 75 are amended
24 to read:

25 § 1355. Zoological plate.

26 The department, in consultation with the Pennsylvania
27 Zoological Council, shall design a special zoological
28 registration plate. Upon application of any person, accompanied
29 by a fee of [~~\$35~~] \$54 which shall be in addition to the annual
30 registration fee, the department shall issue the plate for a

1 passenger car, motor home, trailer or truck with a registered
2 gross weight of not more than 10,000 pounds. The Zoological
3 Enhancement Fund shall receive \$15 of the fee paid by the
4 applicant for the plate.

5 § 1358. DARE plate.

6 The department, in consultation with the Pennsylvania
7 Commission on Crime and Delinquency, shall design a special drug
8 abuse resistance education (DARE) registration plate which
9 utilizes the DARE logo or slogan in the design. Upon application
10 of any person, accompanied by a fee of [~~\$35~~] \$53 which shall be
11 in addition to the annual registration fee, the department shall
12 issue the plate for a passenger car, motor home, trailer or
13 truck with a registered gross weight of not more than 10,000
14 pounds. The Drug Abuse Resistance Education Program shall
15 receive \$15 of each additional fee for this plate.

16 Section 16.1. Title 75 is amended by adding a section to
17 read:

18 § 1380. Suspension of registration upon unpaid tolls.

19 (a) Suspension of registration.--

20 (1) The department shall suspend the registration of a
21 vehicle upon the notification from a tolling entity that the
22 owner or registrant of the vehicle has either:

23 (i) failed to pay or defaulted in the payment of six
24 or more violations issued pursuant to 74 Pa.C.S. §
25 8117(a)(1) (relating to electronic toll collection) or
26 other laws, regulations, ordinances or other standards
27 applicable to the toll collection or payment requirements
28 for a tolling entity; or

29 (ii) incurred unpaid tolls or administrative fees or
30 costs that collectively total a minimum of \$500,

1 regardless of the number of violations.

2 (2) The suspension under paragraph (1) may not be
3 construed to limit the tolling entity's ability to recoup
4 tolls, administrative fees or costs by any other means
5 available under the law.

6 (b) Notice.--Prior to notifying the department under
7 subsection (c), the tolling entity shall provide the owner or
8 registrant written notice by first class mail of its intent to
9 seek suspension of the vehicle registration pursuant to this
10 section and afford the owner or registrant with the opportunity
11 to be heard during an administrative proceeding.

12 (c) Notice to the department.--Not sooner than 30 days after
13 mailing the notice under subsection (b), the tolling entity,
14 provided it has entered into an agreement with the department to
15 enforce the provisions of this section, may notify the
16 department electronically in a format prescribed by the
17 department whenever an owner or registrant meets the
18 requirements for suspension under subsection (a)(1). When a
19 tolling entity has provided notice under this subsection and all
20 of the violations are subsequently paid, dismissed, reversed on
21 appeal or canceled, the tolling entity shall notify the
22 department electronically in a format prescribed by the
23 department of the disposition of the violation and shall provide
24 the owner or registrant with a release from the suspension.

25 (d) Period of suspension.--A suspension under subsection (a)
26 shall continue until the department receives notice from the
27 tolling entity that the violations are paid, dismissed, reversed
28 on appeal or canceled or the owner or registrant enters into an
29 agreement with the tolling entity to make installment payments
30 for tolls, administrative fees and costs imposed and pays the

1 fee prescribed in section 1960 (relating to reinstatement of
2 operating privilege or vehicle registration), provided that the
3 suspension may be reimposed by the department if the owner or
4 registrant fails to make regular installment payments.

5 (e) Additional suspension.--The department shall impose an
6 additional period of registration suspension if, subsequent to
7 the issuance of a suspension under subsection (a) but prior to
8 the restoration of the registration, the department is notified
9 by the tolling entity that the owner or registrant has failed to
10 pay, failed to respond or defaulted in the payment of an
11 additional violation issued pursuant to 74 Pa.C.S. § 8117(a)(1).

12 (f) Violations outside Commonwealth.--The department shall
13 suspend the registration of a vehicle upon the notification from
14 a tolling entity that has entered into an enforcement agreement
15 with the department as authorized under section 6146 (relating
16 to enforcement agreements) for any toll violation of that state
17 or an authority or for failure to pay any fine or costs imposed
18 in accordance with the laws of the jurisdiction in which the
19 violation occurred. A person who provides proof satisfactory to
20 the department that the full amount of the fine and costs has
21 been forwarded to and received by the other state may not be
22 regarded as having failed to pay for the purposes of this
23 subsection.

24 (g) Documentation.--In any proceeding under this section,
25 documents obtained by the department from a tolling entity or
26 from the appropriate agency of the Commonwealth or another state
27 shall be admissible into evidence to support the department's
28 case. In addition, the department may treat the documents and
29 reports as documents of the department and use any of the
30 methods of storage permitted under the provisions of 42 Pa.C.S.

1 § 6109 (relating to photographic copies of business and public
2 records) and may reproduce the documents in accordance with the
3 provisions of 42 Pa.C.S. § 6103 (relating to proof of official
4 records). The department may certify that it has received or
5 obtained documents and reports from a tolling entity, the
6 Commonwealth or other states, and the certification shall be
7 prima facie proof of the facts contained in the documents and
8 reports.

9 (h) Three-year statute of limitations.--No suspension may be
10 imposed based upon a violation of 74 Pa.C.S. § 8117(a)(1) or
11 similar provision from another state more than three years after
12 the violation is committed.

13 (i) Collection of out-of-State tolls.--The department or a
14 tolling agency may collect the civil penalties and tolls imposed
15 by an out-of-State tolling entity if the department or tolling
16 entity has entered into a reciprocity agreement that confirms
17 all of the following:

18 (1) The other state or tolling entity has its own
19 effective reciprocal procedures for collecting penalties and
20 tolls imposed by a Commonwealth tolling entity and agrees to
21 collect penalties and tolls of the Commonwealth tolling
22 entity by employing sanctions that include denial of a
23 person's right to register or reregister a motor vehicle.

24 (2) The penalties, exclusive of tolls, claimed by the
25 other state or tolling entity against an owner of a motor
26 vehicle registered in Pennsylvania do not exceed \$100 for a
27 first violation or \$600 for all pending violations.

28 (3) The other state or tolling entity provides due
29 process and appeal protections to avoid the likelihood that a
30 false, mistaken or unjustified claim will be pursued against

1 an owner.

2 (4) An owner of a motor vehicle registered in this
3 Commonwealth may present evidence to the other state or
4 tolling entity by mail, telephone, electronic means or other
5 means to invoke rights of due process, without having to
6 appear personally in the jurisdiction where the violation is
7 alleged to have occurred.

8 (5) The reciprocal collection agreement between the
9 department or a tolling entity and the other state or tolling
10 entity provides that each party may charge the other a fee
11 sufficient to cover the costs of collection services,
12 including costs incurred by the agency that registers motor
13 vehicles.

14 (j) Definition.--As used in this section, the term "tolling
15 entity" means the Pennsylvania Turnpike Commission, an entity
16 authorized to impose and collect tolls in accordance with the
17 laws of Pennsylvania, including 74 Pa.C.S. Ch. 91 (relating to
18 public-private transportation partnerships) or the laws of
19 another state or states and any authorized agent of such an
20 entity.

21 Section 17. Section 1514(a) and (e) of Title 75 are amended
22 and the section is amended by adding subsections to read:

23 § 1514. Expiration and renewal of drivers' licenses.

24 (a) General rule.--Every driver's license shall expire on
25 the day after the licensee's birthdate at intervals of not more
26 than [four] six years as may be determined by the department.
27 Every license shall be renewable on or before its expiration
28 upon application, payment of the required fee, and satisfactory
29 completion of any examination required or authorized by this
30 chapter.

1 (a.1) Hazardous materials endorsement.--A driver's license
2 containing a hazardous materials endorsement shall expire on the
3 day after the licensee's birthday not less than 49 months nor
4 more than 60 months from the date of validation by the
5 department.

6 (a.2) Staggered renewals.--The department shall establish a
7 system of staggered driver's license renewal in a manner that an
8 approximately equal number of driver's licenses will expire
9 annually throughout an eight-year period. In order to implement
10 and maintain the staggered driver's license renewal system, the
11 department may issue driver's licenses for periods of 37 to 96
12 months. The department shall pro rate the fees imposed under
13 Chapter 19 (relating to fees) as appropriate.

14 * * *

15 (e) Noncitizen license expiration and renewal.--

16 (1) Except as otherwise provided, a license issued on
17 the basis of Immigration and Naturalization Service (INS)
18 credentials or documents shall expire on the date appearing
19 on the INS credentials or documents provided by the applicant
20 under section 1506(a.1) (relating to application for driver's
21 license or learner's permit).

22 (2) If the expiration date of the INS credentials or
23 documents exceeds [four] six years, the license shall expire
24 one day after the applicant's date of birth but not more than
25 [four] six years from the date of issuance of the license.

26 (3) Upon presenting INS credentials or documents
27 indicating continued legal presence in the United States, the
28 person may apply for a renewal of the license.

29 (4) If a person has been granted permanent legal status
30 in the United States by the INS, the department may in its

1 discretion require the person to present his INS credentials
2 or documents for only the first license application or
3 renewal.

4 (5) License renewals issued under this subsection shall
5 be for the length of time as set forth in paragraph (1) or
6 (2).

7 Section 18. Sections 1553(c), 1554(c), 1617, 1786(d) and
8 (e), 1904, 1911, 1912, 1913, 1914, 1915, 1916(a), 1917, 1918,
9 1920, 1921, 1922 and 1923 of Title 75 are amended to read:

10 § 1553. Occupational limited license.

11 * * *

12 (c) Fee.--The fee for applying for an occupational limited
13 license shall be [\$50] \$75. This fee shall be nonrefundable and
14 no other fee shall be required.

15 * * *

16 § 1554. Probationary license.

17 * * *

18 (c) Fee.--The fee for applying for a probationary license
19 shall be [\$25] \$35. The fee shall be nonrefundable. The annual
20 fee for issuance of a probationary license shall be [\$50] \$75,
21 plus the cost of the photograph required in section 1510(a)
22 (relating to issuance and content of driver's license), which
23 shall be in addition to all other licensing fees.

24 * * *

25 § 1617. Fees.

26 Fees relating to commercial drivers' licenses to be collected
27 by the department under this chapter shall be in addition to any
28 other fees imposed under the provisions of this title and are as
29 follows:

30 (1) The annual fee for a commercial driver's license

1 designation shall be [\$10] \$20.

2 (2) In addition to any other restoration fee required by
3 this title, an additional restoration fee of [\$50] \$100 shall
4 be assessed and collected before reinstating a commercial
5 driver's operating privilege following a suspension or
6 revocation under this title or disqualification under this
7 chapter.

8 (3) If the commercial driving privilege of a driver is
9 disqualified, a Class C noncommercial or M license, if the
10 driver possesses the motorcycle qualification, may be
11 obtained upon payment of the fees associated with obtaining a
12 duplicate license.

13 (4) An additional fee of [\$10] \$15 shall be imposed for
14 the initial issuance or renewal of a commercial driver's
15 license with an "H" or "X" endorsement, in addition to the
16 cost of a criminal history background check as required by
17 the USA Patriot Act of 2001 (Public Law 107-56, 115 Stat.
18 272).

19 § 1786. Required financial responsibility.

20 * * *

21 (d) Suspension of registration and operating privilege.--

22 (1) The Department of Transportation shall suspend the
23 registration of a vehicle for a period of three months if it
24 determines the required financial responsibility was not
25 secured as required by this chapter and shall suspend the
26 operating privilege of the owner or registrant for a period
27 of three months if the department determines that the owner
28 or registrant has operated or permitted the operation of the
29 vehicle without the required financial responsibility. The
30 operating privilege shall not be restored until the

1 restoration fee for operating privilege provided by section
2 1960 (relating to reinstatement of operating privilege or
3 vehicle registration) is paid.

4 (1.1) In lieu of serving a registration suspension
5 imposed under this section, an owner or registrant may pay to
6 the department a civil penalty of \$500, the restoration fee
7 prescribed under section 1960 and furnish proof of financial
8 responsibility in a manner determined by the department.

9 (2) Whenever the department revokes or suspends the
10 registration of any vehicle under this chapter, the
11 department shall not restore or transfer the registration
12 until the suspension has been served or the civil penalty has
13 been paid to the department and the vehicle owner furnishes
14 proof of financial responsibility in a manner determined by
15 the department and submits an application for registration to
16 the department, accompanied by the fee for restoration of
17 registration provided by section 1960. This subsection shall
18 not apply in the following circumstances:

19 (i) The owner or registrant proves to the
20 satisfaction of the department that the lapse in
21 financial responsibility coverage was for a period of
22 less than 31 days and that the owner or registrant did
23 not operate or permit the operation of the vehicle during
24 the period of lapse in financial responsibility.

25 (ii) The owner or registrant is a member of the
26 armed services of the United States, the owner or
27 registrant has previously had the financial
28 responsibility required by this chapter, financial
29 responsibility had lapsed while the owner or registrant
30 was on temporary, emergency duty and the vehicle was not

1 operated during the period of lapse in financial
2 responsibility. The exemption granted by this paragraph
3 shall continue for 30 days after the owner or registrant
4 returns from duty as long as the vehicle is not operated
5 until the required financial responsibility has been
6 established.

7 (iii) The insurance coverage has terminated or
8 financial responsibility has lapsed simultaneously with
9 or subsequent to expiration of a seasonal registration,
10 as provided in section 1307(a.1) (relating to period of
11 registration).

12 (3) An owner whose vehicle registration has been
13 suspended under this subsection shall have the same right of
14 appeal under section 1377 (relating to judicial review) as
15 provided for in cases of the suspension of vehicle
16 registration for other purposes. The filing of the appeal
17 shall act as a supersedeas, and the suspension shall not be
18 imposed until determination of the matter as provided in
19 section 1377. The court's scope of review in an appeal from a
20 vehicle registration suspension shall be limited to
21 determining whether:

22 (i) the vehicle is registered or of a type that is
23 required to be registered under this title; and

24 (ii) there has been either notice to the department
25 of a lapse, termination or cancellation in the financial
26 responsibility coverage as required by law for that
27 vehicle or that the owner, registrant or driver was
28 requested to provide proof of financial responsibility to
29 the department, a police officer or another driver and
30 failed to do so. Notice to the department of the lapse,

1 termination or cancellation or the failure to provide the
2 requested proof of financial responsibility shall create
3 a presumption that the vehicle lacked the requisite
4 financial responsibility. This presumption may be
5 overcome by producing clear and convincing evidence that
6 the vehicle was insured at all relevant times.

7 (4) Where an owner or registrant's operating privilege
8 has been suspended under this subsection, the owner or
9 registrant shall have the same right of appeal under section
10 1550 (relating to judicial review) as provided for in cases
11 of suspension for other reason. The court's scope of review
12 in an appeal from an operating privilege suspension shall be
13 limited to determining whether:

14 (i) the vehicle was registered or of a type required
15 to be registered under this title; and

16 (ii) the owner or registrant operated or permitted
17 the operation of the same vehicle when it was not covered
18 by financial responsibility. The fact that an owner,
19 registrant or operator of the motor vehicle failed to
20 provide competent evidence of insurance or the fact that
21 the department received notice of a lapse, termination or
22 cancellation of insurance for the vehicle shall create a
23 presumption that the vehicle lacked the requisite
24 financial responsibility. This presumption may be
25 overcome by producing clear and convincing evidence that
26 the vehicle was insured at the time that it was driven.

27 (5) An alleged lapse, cancellation or termination of a
28 policy of insurance by an insurer may only be challenged by
29 requesting review by the Insurance Commissioner pursuant to
30 Article XX of the act of May 17, 1921 (P.L.682, No.284),

1 known as The Insurance Company Law of 1921. Proof that a
2 timely request has been made to the Insurance Commissioner
3 for such a review shall act as a supersedeas, staying the
4 suspension of registration or operating privilege under this
5 section pending a determination pursuant to section 2009(a)
6 of The Insurance Company Law of 1921 or, in the event that
7 further review at a hearing is requested by either party, a
8 final order pursuant to section 2009(i) of The Insurance
9 Company Law of 1921.

10 (e) Obligations upon issuance, lapse, termination or
11 cancellation of financial responsibility.--

12 (1) An owner of a motor vehicle who ceases to maintain
13 financial responsibility on a registered vehicle shall not
14 operate or permit operation of the vehicle in this
15 Commonwealth until proof of the required financial
16 responsibility has been provided to the Department of
17 Transportation.

18 (2) An insurer who has issued a contract of motor
19 vehicle liability insurance, or any approved self-insurance
20 entity, shall notify the department [in a timely manner] of
21 such issuance within 24 hours and in a method prescribed by
22 the [department's regulations. Upon request of an owner or
23 registrant in the case of an appeal brought by an owner or
24 registrant for suspension under this section, an insurer
25 shall provide a copy of the notice of cancellation or a copy
26 of the insurer's filing procedures with proof that the notice
27 was written in the normal course of business and placed in
28 the normal course of mailing. The department shall not be
29 required to produce such copy or any other proof that notice
30 of termination, lapse or cancellation was provided to the

1 owner or registrant in order to satisfy the burden of proof
2 in a proceeding under this section.] department.

3 (2.1) Upon request by the department, an insurer shall
4 notify the department of all vehicles for which it is
5 providing vehicle liability insurance on the date of the
6 request. The insurer shall submit the information as
7 prescribed by the department.

8 (3) An insurer who has issued a contract of motor
9 vehicle liability insurance [and knows or has reason to
10 believe that the contract is only for the purpose of
11 providing proof of financial responsibility] shall notify the
12 department if the insurance has lapsed or been canceled or
13 terminated by the insured or by the insurer. The insurer
14 shall notify the department not later than ten days following
15 the effective date of the cancellation or termination. Upon
16 request of a motor vehicle owner or in the case of an appeal
17 brought by an owner or registrant for suspension under this
18 section, an insurer shall provide a copy of the notice of
19 termination, lapse or cancellation or a copy of the insurer's
20 filing procedures with proof that the notice was written in
21 the normal course of business and placed in the normal course
22 of mailing. The department shall not be required to produce
23 the copy or any other proof that notice of termination, lapse
24 or cancellation was provided to the owner or registrant in
25 order to satisfy the burden of proof in a proceeding under
26 this section.

27 (4) A person who, after maintaining financial
28 responsibility on the vehicle of another person, ceases to
29 maintain such financial responsibility shall immediately
30 notify the vehicle's owner who shall not operate, or permit

1 operation of, the vehicle in this Commonwealth.

2 (5) In the case of a person who leases any motor vehicle
3 from a person engaged in the business of leasing motor
4 vehicles, the lessee shall sign a statement indicating that
5 the required financial responsibility has been provided
6 through the lessor or through the lessee's motor vehicle
7 liability insurance policy coverage. The lessee shall submit
8 the statement to the lessor.

9 (6) Upon request of the department, an insurer shall
10 verify whether a contract of motor vehicle liability
11 insurance has been issued for a vehicle.

12 (7) Certification by the department that it was unable
13 to verify the existence of insurance shall be admissible into
14 evidence, shall be prima facie evidence of the absence of
15 required financial responsibility for purposes of this
16 section and shall establish a presumption that the coverage
17 does not exist.

18 * * *

19 § 1904. Collection and disposition of fees and moneys.

20 [The] (a) General rule.--Except as provided under this
21 section, the department shall collect all fees payable under
22 this title and all other moneys received in connection with the
23 administration of this title and transmit them to the State
24 Treasurer for deposit in the Motor License Fund. Moneys paid in
25 error may be refunded by the department.

26 (b) Disposition.--Fees collected under sections 1951(c)
27 (relating to driver's license and learner's permit), 1952
28 (relating to certificate of title), 1953 (relating to security
29 interest), 1955 (relating to information concerning drivers and
30 vehicles), 1956 (relating to certified copies of records) and

1 1958 (relating to certificate of inspection) shall be
2 transmitted to the State Treasurer for deposit in the following
3 funds:

4 (1) For fiscal years 2013-2014 and 2014-2015: 10% to the
5 Public Transportation Trust Fund, 23% to the Multimodal
6 Transportation Fund and 67% to the Motor License Fund.

7 (2) For fiscal years 2015-2016 and 2016-2017: 43.6% to
8 the Public Transportation Trust Fund, 23% to the Multimodal
9 Transportation Fund and 33.4% to the Motor License Fund.

10 (3) For fiscal year 2017-2018 and each fiscal year
11 thereafter: 77% to the Public Transportation Trust Fund and
12 23% to the Multimodal Fund.

13 (c) Automatic three-year adjustment.--For the 36-month
14 period beginning July 1, 2016, through June 30, 2019, and for
15 each like 36-month period thereafter, all fees charged under
16 this title shall be increased by an amount calculated by
17 applying the percentage change in the Consumer Price Index for
18 All Urban Consumers (CPI-U) for the most recent 36-month period,
19 calculated from March 1 through February 28, beginning on the
20 date the fees charged under this title were last increased and
21 for which figures have been officially reported by the United
22 States Department of Labor, Bureau of Labor Statistics,
23 immediately prior to the date the adjustment is due to take
24 effect, to the then current fee amounts authorized.

25 § 1911. Annual registration fees.

26 (a) General rule.--[An annual] A fee for the registration of
27 vehicles as provided in Chapter 13 (relating to the registration
28 of vehicles) shall be charged by the department as provided in
29 this title.

30 (b) Department to establish certain fees.--If a vehicle to

1 be registered is of a type not specifically provided for by this
2 title and is otherwise eligible for registration, the department
3 shall determine the most appropriate fee or fee schedule for the
4 vehicle or type of vehicle based on such factors as design and
5 intended use.

6 § 1912. Passenger cars.

7 The annual fee for registration of a passenger car shall be
8 [~~\$36~~] \$52.

9 § 1913. Motor homes.

10 The annual fee for registration of a motor home shall be
11 determined by its registered gross weight in pounds according to
12 the following table:

13		Registered Gross	
14	Class	Weight in Pounds	Fee
15	1	8,000 or less	[\$45] <u>\$65</u>
16	2	8,001 - 11,000	[63] <u>90</u>
17	3	11,001 or more	[81] <u>116</u>

18 § 1914. Motorcycles.

19 The annual fee for registration of a motorcycle other than a
20 motor-driven cycle shall be [~~\$18~~] \$26.

21 § 1915. Motor-driven cycles.

22 The annual fee for registration of a motor-driven cycle shall
23 be [~~\$9~~] \$13.

24 § 1916. Trucks and truck tractors.

25 (a) General rule.--

26 (1) The annual fee for registration of a truck or truck
27 tractor shall be determined by its registered gross weight or
28 combination weight in pounds according to the following
29 table:

30 [Registered

Gross or Combination

Class	Weight in Pounds	Fee
1	5,000 or less	\$ 58.50
2	5,001 - 7,000	81.00
3	7,001 - 9,000	153.00
4A	9,001 - 10,000	198.00
4B	10,001 - 11,000	198.00
5	11,001 - 14,000	243.00
6	14,001 - 17,000	288.00
7	17,001 - 21,000	355.50
8	21,001 - 26,000	405.00
9	26,001 - 30,000	472.50
10	30,001 - 33,000	567.00
11	33,001 - 36,000	621.00
12	36,001 - 40,000	657.00
13	40,001 - 44,000	697.50
14	44,001 - 48,000	751.50
15	48,001 - 52,000	828.00
16	52,001 - 56,000	882.00
17	56,001 - 60,000	999.00
18	60,001 - 64,000	1,111.50
19	64,001 - 68,000	1,165.50
20	68,001 - 73,280	1,251.00
21	73,281 - 76,000	1,597.50
22	76,001 - 78,000	1,633.50
23	78,001 - 78,500	1,651.50
24	78,501 - 79,000	1,669.50
25	79,001 - 80,000	1,687.50]

Registered

Fees

	<u>Gross or Combination</u>	<u>Fiscal year</u>	<u>Fiscal year</u>	<u>Fiscal year</u>
<u>Class</u>	<u>Weight in Pounds</u>	<u>2013-2014</u>	<u>2014-2015</u>	<u>2015-2016</u>
<u>1</u>	<u>5,000 or less</u>	<u>\$67</u>	<u>\$76</u>	<u>\$84</u>
<u>2</u>	<u>5,001 - 7,000</u>	<u>93</u>	<u>104</u>	<u>116</u>
<u>3</u>	<u>7,001 - 9,000</u>	<u>175</u>	<u>198</u>	<u>220</u>
<u>4A</u>	<u>9,001 - 10,000</u>	<u>227</u>	<u>255</u>	<u>284</u>
<u>4B</u>	<u>10,001 - 11,000</u>	<u>227</u>	<u>255</u>	<u>284</u>
<u>5</u>	<u>11,001 - 14,000</u>	<u>278</u>	<u>314</u>	<u>349</u>
<u>6</u>	<u>14,001 - 17,000</u>	<u>330</u>	<u>371</u>	<u>413</u>
<u>7</u>	<u>17,001 - 21,000</u>	<u>407</u>	<u>459</u>	<u>510</u>
<u>8</u>	<u>21,001 - 26,000</u>	<u>464</u>	<u>522</u>	<u>581</u>
<u>9</u>	<u>26,001 - 30,000</u>	<u>541</u>	<u>610</u>	<u>678</u>
<u>10</u>	<u>30,001 - 33,000</u>	<u>535</u>	<u>602</u>	<u>670</u>
<u>11</u>	<u>33,001 - 36,000</u>	<u>711</u>	<u>801</u>	<u>891</u>
<u>12</u>	<u>36,001 - 40,000</u>	<u>752</u>	<u>848</u>	<u>943</u>
<u>13</u>	<u>40,001 - 44,000</u>	<u>799</u>	<u>900</u>	<u>1,001</u>
<u>14</u>	<u>44,001 - 48,000</u>	<u>860</u>	<u>969</u>	<u>1,078</u>
<u>15</u>	<u>48,001 - 52,000</u>	<u>948</u>	<u>1,068</u>	<u>1,188</u>
<u>16</u>	<u>52,001 - 56,000</u>	<u>1,010</u>	<u>1,137</u>	<u>1,265</u>
<u>17</u>	<u>56,001 - 60,000</u>	<u>1,144</u>	<u>1,288</u>	<u>1,433</u>
<u>18</u>	<u>60,001 - 64,000</u>	<u>1,273</u>	<u>1,434</u>	<u>1,595</u>
<u>19</u>	<u>64,001 - 68,000</u>	<u>1,334</u>	<u>1,503</u>	<u>1,672</u>
<u>20</u>	<u>68,001 - 73,280</u>	<u>1,432</u>	<u>1,614</u>	<u>1,795</u>
<u>21</u>	<u>73,281 - 76,000</u>	<u>1,829</u>	<u>2,061</u>	<u>2,292</u>
<u>22</u>	<u>76,001 - 78,000</u>	<u>1,870</u>	<u>2,107</u>	<u>2,344</u>
<u>23</u>	<u>78,001 - 78,500</u>	<u>1,891</u>	<u>2,131</u>	<u>2,370</u>
<u>24</u>	<u>78,501 - 79,000</u>	<u>1,911</u>	<u>2,153</u>	<u>2,395</u>
<u>25</u>	<u>79,001 - 80,000</u>	<u>1,932</u>	<u>2,177</u>	<u>2,422</u>

(2) A portion of the registration fee for any truck or truck tractor in Classes 9 through 25 shall be deposited in

1 the Highway Bridge Improvement Restricted Account within the
2 Motor License Fund according to the following table:

3 Amount Deposited in
4 Highway Bridge Improvement

5 Classes	Restricted Account
6 9-12	\$ 72
7 13-17	108
8 18-20	144
9 21-25	180

10 * * *

11 § 1917. Motor buses and limousines.

12 The annual fee for registration of a motor bus or a limousine
13 shall be determined by its seating capacity according to the
14 following table:

15 Seating Capacity	Fee
16 26 or less	\$ [9] <u>12</u> per seat
17 27 - 51	[234] <u>336</u> plus [\$11.25] 18 <u>\$16</u> per seat in excess of 19 26
20 52 or more	[540] <u>775</u>

21 § 1918. School buses and school vehicles.

22 The annual fee for registration of a school bus or school
23 vehicle shall be [\$24] \$91.

24 § 1920. Trailers.

25 (a) General rule.--The annual fee for registration of a
26 trailer shall be determined by its registered gross weight
27 according to the following table:

28 Registered Gross	Fee
29 Weight in Pounds	
30 3,000 or less	\$ [6] <u>23</u>

1 3,001 - 10,000 [12] 46

2 10,001 or more [27] 103

3 (b) Optional five-year registration.--A trailer with a
4 registered gross weight of 10,000 pounds or less may be
5 registered for a period of five years upon payment by the
6 registrant of the applicable fee for such period.

7 (c) Optional permanent registration.--A trailer with a
8 registered gross weight of 10,001 or more pounds may be
9 registered for a one-time fee of [~~\$135~~] \$194 in lieu of the
10 annual fee at the option of the registrant.

11 § 1921. Special mobile equipment.

12 The annual fee for registration of special mobile equipment
13 shall be [~~\$36~~] \$52.

14 § 1922. Implements of husbandry.

15 The annual fee for registration of an implement of husbandry
16 not exempt from registration under this title shall be [~~\$18~~]
17 \$26.

18 § 1923. Antique, classic and collectible vehicles.

19 The fee for registration of an antique, classic or
20 collectible motor vehicle shall be [~~\$75~~] \$108.

21 Section 19. Section 1924 of Title 75, amended October 24,
22 2012 (P.L.1407, No.174), is amended to read:

23 § 1924. Farm vehicles.

24 (a) General rule.--The annual fee for registration of a farm
25 vehicle shall be [~~\$76.50~~] \$110 or one-third of the regular fee,
26 whichever is greater.

27 (b) Certificate of exemption.--The biennial processing fee
28 for a certificate of exemption issued in lieu of registration of
29 a farm vehicle shall be determined by the type of certificate
30 issued and the gross weight or combination weight or weight

1 rating according to the following table:

2 Certificate type	Weight in pounds	Fee
3 Type A	10,000 or less	\$24
4 Type B	greater than 10,000 and not	
5	exceeding 17,000	24
6 Type C	greater than 17,000	50
7 Type D	greater than 17,000	100

8 Section 20. Sections 1925, 1926(a), (b) and (c), 1926.1,
9 1927, 1928, 1929, 1930, 1931, 1931.1, 1932, 1933 and 1942(a) of
10 Title 75 are amended to read:

11 § 1925. Ambulances, taxis and hearses.

12 The annual fee for registration of an ambulance, taxi or
13 hearse shall be [~~\$54~~] \$77.

14 § 1926. Dealers and miscellaneous motor vehicle business.

15 (a) General rule.--The annual fee for a dealer registration
16 plate or miscellaneous motor vehicle business plate shall be
17 [~~\$36~~] \$52.

18 (b) Motorcycle dealers.--The annual fee for each dealer
19 registration plate issued to a motorcycle dealer other than a
20 motor-driven cycle dealer shall be [~~\$18~~] \$26.

21 (c) Motor-driven cycle dealers.--The annual fee for each
22 dealer registration plate issued to a motor-driven cycle dealer
23 shall be [~~\$9~~] \$13.

24 * * *

25 § 1926.1. Farm equipment vehicle dealers.

26 The annual fee for registration of a farm equipment dealer
27 truck or truck tractor shall be one-half of the regular fee or
28 [~~\$243~~] \$349, whichever is greater.

29 § 1927. Transfer of registration.

30 The fee for transfer of registration shall be [~~\$6~~] \$9.

1 § 1928. Temporary and electronically issued registration
2 plates.

3 The fee payable by a dealer or other dispensing agent for a
4 temporary registration plate or for a registration plate to be
5 issued for new registration processed electronically with the
6 department shall be [~~\$5~~] \$14. The charge of the agent for
7 providing an applicant with a plate under this section shall not
8 exceed a total of [~~\$10~~] \$14.

9 § 1929. Replacement registration plates.

10 The fee for a replacement registration plate other than a
11 legislative or personal plate shall be [~~\$7.50~~] \$11.

12 § 1930. Legislative registration plates.

13 The fee for issuance of a legislative registration plate
14 shall be [~~\$20~~] \$76 which shall be in addition to the annual
15 registration fee. Only one payment of the issuance fee shall be
16 charged for each legislative registration plate issued or
17 replaced.

18 § 1931. Personal registration plates.

19 The fee for issuance of a personal registration plate shall
20 be [~~\$20~~] \$76 which shall be in addition to the annual
21 registration fee. Only one payment of the issuance fee shall be
22 charged for each personal registration issued or replaced.

23 § 1931.1. Street rod registration plates.

24 The fee for the issuance of a street rod registration plate
25 shall be [~~\$20~~] \$51 which shall be in addition to the annual
26 registration fee. Only one payment of the issuance fee shall be
27 charged for each street rod registration plate issued or
28 replaced.

29 § 1932. Duplicate registration cards.

30 The fee for each duplicate registration card when ordered at

1 the time of vehicle registration, the transfer or renewal of
2 registration or the replacement of a registration plate shall be
3 [\$1.50] \$2. The fee for each duplicate registration card issued
4 at any other time shall be [\$4.50] \$6.

5 § 1933. Commercial implements of husbandry.

6 The annual fee for registration of a commercial implement of
7 husbandry shall be [\$76.50] \$110 or one-half of the regular fee,
8 whichever is greater.

9 § 1942. Special hauling permits as to weight and size.

10 (a) Fee schedule.--The fee for a special hauling permit for
11 each movement of an overweight or oversize vehicle or load, or
12 both, shall be as follows:

13 (1) Oversize vehicle or load, or both, having a width up
14 to 14 feet and not exceeding legal weight limit, [\$25] \$35.

15 (2) Oversize vehicle or load, or both, having a width
16 exceeding 14 feet and not exceeding any legal weight limit,
17 [\$50] \$71.

18 (3) Vehicle and load weighing in excess of legal weight
19 limit, [3¢] 4¢ per mile per ton by which the gross weight
20 exceeds the registered gross weight.

21 * * *

22 Section 21. Section 1943 of Title 75, amended October 24,
23 2012 (P.L.1473, No.187), is amended to read:

24 § 1943. Annual hauling permits.

25 (a) Quarry equipment and machinery.--The annual fee for
26 operation or movement of each piece of heavy quarry equipment or
27 machinery, as provided for in section 4966 (relating to permit
28 for movement of quarry equipment), shall be [\$500] \$706.

29 (c) Course of manufacture.--The annual fee for operation or
30 movement of loads or vehicles, as provided for in section 4968

1 (relating to permit for movement during course of manufacture),
2 shall be as follows:

3 (1) Oversized movements:

4 (i) Movements limited to daylight hours only -
5 [\$100] \$130.

6 (ii) Movements that can be conducted 24 hours per
7 day - [\$1,000] \$1,300.

8 (2) Overweight movements:

9 (i) Movements not exceeding 100,000 pounds gross
10 weight:

11 (A) Not more than one mile in distance - [\$50]
12 \$69.

13 (B) More than one mile in distance - [\$400]
14 \$750.

15 (ii) Movements in excess of 100,000 pounds gross
16 weight - [\$500] \$756, plus [\$100] \$152 for each mile of
17 highway authorized under the permit.

18 (d) Multiple highway crossings.--The annual fee for a single
19 permit for multiple highway crossings, as provided for in
20 section 4965 (relating to single permits for multiple highway
21 crossings), shall be [\$300] \$415.

22 (e.1) Special mobile equipment.--The annual fee for hauling
23 or towing each piece of special mobile equipment, as provided
24 for in section 4975 (relating to permit for movement of special
25 mobile equipment), shall be [\$200] \$300.

26 (f) Containerized cargo.--The annual company fee for
27 movement of any combination with overweight containerized cargo
28 as provided for in section 4974 (relating to permit for movement
29 of containerized cargo) shall be:

30 (1) [\$100] \$155 for a motor carrier requesting permits

1 for up to 15 truck tractors.

2 (2) [\$150] \$233 for a motor carrier requesting permits
3 for 16 to 50 truck tractors.

4 (3) [\$250] \$388 for a motor carrier requesting permits
5 for 51 to 100 truck tractors.

6 (4) [\$350] \$544 for a motor carrier requesting permits
7 for 101 to 150 truck tractors.

8 (5) [\$400] \$622 for a motor carrier requesting permits
9 for 151 or more truck tractors.

10 (g) Domestic animal feed.--The annual fee for movement of
11 each vehicle hauling domestic animal feed, in bulk, as provided
12 for in section 4976 (relating to permit for movement of domestic
13 animal feed) shall be [\$400] \$587.

14 (g.1) Eggs.--The annual fee for movement of each vehicle
15 hauling eggs as provided for in section 4976.2 (relating to
16 permit for movement of eggs) shall be \$400.

17 (h) Movement of wooden structures.--The annual fee for
18 movement of wooden structures as provided for in section 4977
19 (relating to permit for movement of wooden structures) shall be
20 [\$1,000] \$1,468.

21 (i) Live domestic animals.--The annual permit fee for each
22 truck tractor authorized to transport live domestic animals, as
23 provided in section 4976.1 (relating to permit for movement of
24 live domestic animals), shall be [\$400] \$520.

25 (j) Building structural components.--The permit fee for each
26 truck tractor authorized to transport building structural
27 components, as provided in section 4978 (relating to permit for
28 movement of building structural components), shall be [\$100]
29 \$141 for each month the permit is valid.

30 (k) Utility construction equipment.--The permit fee for

1 utility construction equipment, as provided for in section
2 4970(a) (relating to permit for movement of construction
3 equipment), shall be [~~\$100~~] \$141 for each month the permit is
4 valid.

5 (l) Particleboard or fiberboard.--The annual fee for
6 movement of particleboard or fiberboard, as provided for in
7 section 4979 (relating to permit for movement of particleboard
8 or fiberboard used for the manufacture of ready-to-assemble
9 furniture), shall be [~~\$800~~] \$1,130.

10 (m) Bulk refined oil.--The annual fee for movement of bulk
11 refined oil, as provided for in section 4979.1 (relating to
12 permit for movement of bulk refined oil), shall be:

13 (1) [~~\$800~~] \$1,130 for a distance up to 50 miles.

14 (2) [~~\$1,600~~] \$1,670 for a distance of more than 50 miles
15 up to 125 miles.

16 (n) Waste coal and beneficial combustion ash.--The annual
17 fee for the movement of waste coal and beneficial combustion
18 ash, as provided for in section 4979.2 (relating to permit for
19 movement of waste coal and beneficial combustion ash), shall be
20 [~~\$400~~] \$565.

21 (o) Float glass or flat glass.--The annual fee for the
22 movement of float glass or flat glass, as provided for in
23 section 4979.3 (relating to permit for movement of float glass
24 or flat glass for use in construction and other end uses), shall
25 be [~~\$800~~] \$1,209.

26 (p) Self-propelled cranes.--The annual permit fee for each
27 self-propelled crane, as provided for in section 4979.4
28 (relating to permit for movement of self-propelled cranes),
29 shall be as follows:

30 (1) Cranes not exceeding 100,000 pounds gross weight,

1 prorated up to a maximum of [~~\$400~~] \$553.

2 (2) Cranes in excess of 100,000 pounds gross weight,
3 prorated up to a maximum of [~~\$100~~] \$139 plus [~~\$50~~] \$69 for
4 each mile of highway authorized under the permit.

5 (q) Construction equipment.--The annual fee for the movement
6 of construction equipment shall be [~~\$400~~] \$520.

7 (q.1) Nonhazardous liquid glue.--The annual fee for the
8 movement of nonhazardous liquid glue, as provided for in section
9 4979.5 (relating to permit for movement of nonhazardous liquid
10 glue), shall be [~~\$800~~] \$1,000.

11 (q.2) Waste tires.--The annual fee for the movement of waste
12 tires under section 4979.6 (relating to permit for movement of
13 waste tires) shall be [~~\$800~~] \$845.

14 (r) Excess damage permit.--The annual fee for excess damage
15 permits, as provided for in section 4961(d) (relating to
16 authority to issue permits), shall be [~~\$500~~] \$640 to cover the
17 costs of administering the permit and inspections of the
18 involved highway.

19 Section 22. Sections 1944, 1945(b), 1947, 1951, 1952, 1953,
20 1955(a), 1956, 1957, 1958(a), 1959, 1960 and 2102(b) and (d) of
21 Title 75 are amended to read:

22 § 1944. Mobile homes, modular housing units and modular housing
23 undercarriages.

24 The fee for a special hauling permit for a mobile home,
25 modular housing unit or modular housing undercarriage which
26 exceeds the maximum size prescribed in this title but which does
27 not exceed 14 feet in body width shall be [~~\$25~~] \$39. The fee for
28 a special hauling permit for a mobile home or modular housing
29 unit, as provided in section 4973 (relating to permits for
30 movement of a mobile home or a modular housing unit and modular

1 housing undercarriage), shall be [\$50] \$76.

2 § 1945. Books of permits.

3 * * *

4 (b) Penalty.--Any person violating any of the provisions of
5 this section is guilty of a summary offense and shall, upon
6 conviction, be sentenced to pay a fine of [\$500] \$1,000.

7 § 1947. Refund of certain fees.

8 The portion of the fee of an unused overweight permit based
9 on ton-miles or the fee for an unused escort, or both, may be
10 refunded upon payment of a processing fee of [\$10] \$38.

11 § 1951. Driver's license and learner's permit.

12 (a) Driver's license.--The driver's license fee [for each
13 year or partial year] shall be [\$5.25] \$7 plus the cost of the
14 photograph required in section 1510(a) (relating to issuance and
15 content of driver's license).

16 (a.1) Senior citizen.--The driver's license fee for each
17 year or partial year for a senior citizen 65 years of age and
18 older shall be \$5.25 plus the cost of the photograph required
19 under section 1510(a) (relating to issuance and content of
20 driver's license).

21 (b) Learner's permit.--The fee for a learner's permit shall
22 be [\$5] \$19.

23 (c) Identification card.--The [fee for an] identification
24 card fee shall be [\$5] \$19 plus the cost of the photograph.

25 (d) Replacement license or card.--The fee for a replacement
26 driver's license or identification card shall be [\$5] \$19 plus
27 the cost of the photograph.

28 § 1952. Certificate of title.

29 (a) General rule.--The fee for issuance of a certificate of
30 title shall be [\$22.50] \$33.

1 (b) Manufacturer's or dealer's notification.--The fee for a
2 manufacturer's or dealer's notification of acquisition of a
3 vehicle from another manufacturer or dealer for resale pursuant
4 to section 1113 (relating to transfer to or from manufacturer or
5 dealer) shall be [~~\$3~~] \$4.

6 § 1953. Security interest.

7 The fee for recording or changing the amount of security
8 interest on a certificate of title shall be [~~\$5~~] \$19.

9 § 1955. Information concerning drivers and vehicles.

10 (a) Drivers, registrations, titles and security interests.--
11 The fee for a copy of written or electronic information relating
12 to a driver, registration, title or security interest shall be
13 [~~\$5~~] \$14.

14 * * *

15 § 1956. Certified copies of records.

16 (a) Department records.--The fee for a certified copy of any
17 department record which the department is authorized by law to
18 furnish to the public shall be [~~\$5~~] \$19 for each form or
19 supporting document comprising such record.

20 (b) State Police reports.--The fee for a certified
21 Pennsylvania State Police record of investigation of a vehicle
22 accident which the Pennsylvania State Police are authorized by
23 this title to furnish to the public shall be [~~\$5~~] \$19 for each
24 copy of the Pennsylvania State Police full report of
25 investigation.

26 § 1957. Uncollectible checks.

27 Whenever any check issued in payment of any fee or for any
28 other purpose is returned to the department as uncollectible,
29 the department or municipality shall charge a fee of [~~\$10~~] \$38
30 for each driver's license, registration, replacement of tags,

1 transfer of registration, certificate of title, whether original
2 or duplicate, special hauling permit and each other unit of
3 issue by the department or municipality, plus all protest fees,
4 to the person presenting the check, to cover the cost of
5 collection.

6 § 1958. Certificate of inspection.

7 (a) General rule.--The department shall charge [~~\$2~~] \$5 for
8 each annual certificate of inspection [and \$1], \$2 for each
9 semiannual certificate of inspection and \$2 for each certificate
10 of exemption.

11 § 1959. Messenger service.

12 (a) Annual registration.--The annual fee for registration of
13 a messenger service as provided for in Chapter 75 (relating to
14 messenger service) shall be [~~\$50~~] \$192.

15 (b) Additional places of business.--The annual fee for
16 registration of additional place of business or branch office
17 from which a messenger service may transact business shall be
18 [~~\$25~~] \$95.

19 (c) Transfer of location.--The fee for the transfer of
20 location of a registered place of business or branch office of a
21 messenger service during a period of registration shall be [~~\$5~~]
22 \$19.

23 § 1960. Reinstatement of operating privilege or vehicle
24 registration.

25 The department shall charge a fee of [~~\$25~~] \$70 or, if section
26 1379 (relating to suspension of registration upon sixth unpaid
27 parking violation in cities of the first class) or 1786(d)
28 (relating to required financial responsibility) applies, a fee
29 of [~~\$50~~] \$88 to restore a person's operating privilege or the
30 registration of a vehicle following a suspension or revocation.

1 § 1961. Secure power of attorney.

2 The fee for processing a secure power of attorney submitted
3 for the purpose of odometer disclosure when not accompanied by
4 an application for title shall be [~~\$15~~] \$23.

5 § 2102. Identification markers and license or road tax
6 registration card required.

7 * * *

8 (b) Fee.--The fee for issuance of identification markers
9 shall be [~~\$5~~] \$12 per vehicle.

10 * * *

11 (d) Operation without identification markers unlawful.--
12 Except as provided in paragraphs (2) and (3), it shall be
13 unlawful to operate or to cause to be operated in this
14 Commonwealth any qualified motor vehicle unless the vehicle
15 bears the identification markers required by this section or
16 valid and unrevoked IFTA identification markers issued by
17 another IFTA jurisdiction.

18 (1) The Secretary of Revenue may by regulation exempt
19 from the requirement to display the identification markers
20 those qualified motor vehicles which in his opinion are
21 clearly identifiable such that effective enforcement of this
22 chapter will not suffer thereby.

23 (2) For a period not exceeding 30 days as to any one
24 motor carrier, the Secretary of Revenue by letter or telegram
25 may authorize the operation of a qualified motor vehicle or
26 vehicles without the identification markers required when
27 both the following are applicable:

28 (i) enforcement of this section for that period
29 would cause undue delay and hardship in the operation of
30 such qualified motor vehicle; and

1 (ii) the motor carrier is registered and/or licensed
2 for the motor carriers road tax with the Department of
3 Revenue or has filed an application therefor with the
4 Department of Revenue:

5 (A) The fee for such temporary permits shall be
6 [~~\$5~~] \$7 for each qualified motor vehicle which shall
7 be deposited in the Highway Bridge Improvement
8 Restricted Account within the Motor License Fund.

9 (B) Conditions for the issuance of such permits
10 shall be set forth in regulations promulgated by the
11 Department of Revenue.

12 (C) A temporary permit issued by another IFTA
13 jurisdiction under authority similar to this
14 paragraph shall be accorded the same effect as a
15 temporary permit issued under this paragraph.

16 (3) A motor carrier may, in lieu of paying the tax
17 imposed and filing the tax report required by Chapter 96 and
18 in lieu of complying with any other provisions of this
19 section that would otherwise be applicable as a result of the
20 operation of a particular qualified motor vehicle, obtain
21 from the Department of Revenue a trip permit authorizing the
22 carrier to operate the qualified motor vehicle for a period
23 of five consecutive days. The Department of Revenue shall
24 specify the beginning and ending days on the face of the
25 permit. The fee for a trip permit for each qualified motor
26 vehicle is [~~\$50~~] \$73 which shall be deposited in the Highway
27 Bridge Improvement Restricted Account within the Motor
28 License Fund. The report otherwise required under Chapter 96
29 is not required with respect to a vehicle for which a trip
30 permit has been issued under this subsection.

1 * * *

2 Section 23. Section 3111 of Title 75 is amended by adding a
3 subsection to read:

4 § 3111. Obedience to traffic-control devices.

5 * * *

6 (a.1) Penalty.--

7 (1) A person who violates this section commits a summary
8 offense and shall, upon conviction, pay a fine of not less
9 than \$100 nor more than \$300.

10 (2) Notwithstanding 42 Pa.C.S. § 3733(a) (relating to
11 deposits into account), a fine under paragraph (1) shall be
12 distributed as follows:

13 (i) Twenty-five dollars shall be deposited as
14 provided under 42 Pa.C.S. § 3733(a).

15 (ii) After deposit of the amount under subparagraph
16 (i), the remaining portion of the fine shall be deposited
17 into the Public Transportation Trust Fund.

18 * * *

19 Section 23.1. Section 6110(b) of Title 75 is amended to
20 read:

21 § 6110. Regulation of traffic on Pennsylvania Turnpike.

22 * * *

23 (b) Penalties.--

24 (1) Except as otherwise provided in this subsection, any
25 person violating any of the rules and regulations of the
26 Pennsylvania Turnpike Commission for which no penalty has
27 otherwise been provided by statute commits a summary offense
28 and shall, upon conviction, be sentenced to pay a fine of
29 \$25.

30 (2) Any person violating any of the rules and

1 regulations of the commission prohibiting fare evasion or
2 attempted fare evasion commits a summary offense and shall,
3 upon conviction for the first time, be sentenced to pay a
4 fine according to the classification by the commission of the
5 vehicle driven by that person at the time of violation as
6 follows:

7 (i) Class 1 through 2: [~~\$100~~] \$200.

8 (ii) Class 3 through 6: [~~\$500~~] \$2,500.

9 (iii) Class 7 and higher: [~~\$1,000~~] \$5,000.

10 (3) In addition to the fines imposed under this
11 subsection, restitution shall be made to the commission in an
12 amount equal to the full fare, for the appropriate vehicle
13 class, from the farthest point of entry on the turnpike to
14 the actual point of exit.

15 (3.1) (i) A person who, while traveling upon the
16 Pennsylvania Turnpike or a road under its control, takes
17 an affirmative action in an attempt to evade tolls
18 commits a misdemeanor of the third degree, and shall,
19 upon conviction, be sentenced to pay a fine of \$6,500 and
20 to undergo imprisonment for not less than 60 days. For
21 the purposes of this subsection, affirmative action shall
22 include any of the following:

23 (A) Removal of license plates from the vehicle
24 to impede electronic toll collection.

25 (B) Installation of a mechanism that rotates,
26 changes, blocks or otherwise mechanically alters the
27 ability of a license plate to be read by a violation
28 enforcement system as defined under 74 Pa.C.S. § 8102
29 (relating to definitions).

30 (C) Installation of a mechanical apparatus upon

1 the vehicle that serves the sole purpose of masking,
2 hiding or manipulating the true weight of the vehicle
3 as it appears to a mechanical scale.

4 (D) Conspiring with an individual or group of
5 individuals in an attempt to alter, lower or evade
6 payment of correct tolls.

7 (E) Unauthorized use of Pennsylvania Turnpike
8 private gate access or otherwise unauthorized
9 movement entering or exiting the turnpike other than
10 at approved interchanges.

11 (F) Any other action taken for the purpose of
12 evading the payment of a toll.

13 (ii) A violation of this paragraph may not preclude
14 prosecution under section 1332 (relating to display of
15 registration plate), section 7122 (relating to altered,
16 forged or counterfeit documents and plates) or section
17 7124 (relating to fraudulent use or removal of
18 registration plate).

19 Section 24. Section 6506(a) of Title 75 is amended by adding
20 a paragraph and the section is amended by adding a subsection to
21 read:

22 § 6506. Surcharge.

23 (a) Levy and imposition.--In addition to any fines, fees or
24 penalties levied or imposed as provided by law, under this title
25 or any other statute, a surcharge shall be levied for
26 disposition in accordance with subsection (b) as follows:

27 * * *

28 (10) In addition to any other surcharge imposed under
29 this section, upon conviction for a violation of Chapter 11
30 (relating to certificate of title and security interests), 13

1 (relating to registration of vehicles), 15 (relating to
2 licensing of drivers), 16 (relating to commercial drivers),
3 17 (relating to financial responsibility), 19 (relating to
4 fees), 21 (relating to motor carriers road tax identification
5 markers), 31 (relating to general provisions), 33 (relating
6 to rules of the road in general), 35 (relating to special
7 vehicles and pedestrians), 37 (relating to miscellaneous
8 provisions), 38 (relating to driving after imbibing alcohol
9 or utilizing drugs), 41 (relating to equipment standards), 43
10 (relating to lighting equipment), 45 (relating to other
11 required equipment), 47 (relating to inspection of vehicles),
12 49 (relating to size, weight and load), 61 (relating to
13 powers of department and local authorities), 63 (relating to
14 enforcement), 65 (relating to penalties and disposition of
15 fines), 71 (relating to vehicle theft and related
16 provisions), 73 (relating to abandoned vehicles and cargos),
17 75 (relating to messenger service), 77 (relating to
18 snowmobiles and all-terrain vehicles), 83 (relating to
19 hazardous materials transportation), 90 (relating to liquid
20 fuels and fuels tax), 94 (relating to liquid fuels and fuel
21 use tax enforcement) or 96 (relating to motor carriers road
22 tax), a surcharge of \$100.

23 * * *

24 (a.1) Deposit of surcharge.--The surcharge levied and
25 collected under subsection (a)(10) shall be deposited into the
26 Public Transportation Trust Fund.

27 Section 25. Section 7715.2(a) of Title 75 is amended to
28 read:

29 § 7715.2. Fees.

30 (a) Fees.--Except as provided in subsection (b), the

1 department shall collect the following fees:

2 (1) Certificate of title, [\$22.50] \$29.

3 (2) Expiration sticker, [\$20] \$26.

4 (2.1) Vintage snowmobile permit, \$20.

5 (3) Dealer registration, \$25.

6 (4) Replacement, due to loss or damage, of registration
7 certificate, limited registration certificate, registration
8 decal, registration plate, expiration sticker or vintage
9 snowmobile permit, [\$5] \$7.

10 (5) Transfer of registration pursuant to section 7711.1
11 (relating to registration of snowmobile or ATV), [\$5] \$7.

12 (6) Recording the name of a secured party on a
13 certificate of title, [\$5] \$7.

14 * * *

15 Section 26. The definition of "annual additional payments,"
16 "annual base payments" and "scheduled annual commission
17 contributions" in section 8901 of Title 75 are amended to read:
18 § 8901. Definitions.

19 The following words and phrases when used in this chapter
20 shall have the meanings given to them in this section unless the
21 context clearly indicates otherwise:

22 "Annual additional payments." As follows:

23 (1) During the conversion period and after the
24 conversion date, an amount equal to the scheduled annual
25 commission contribution, minus the sum of:

26 (i) \$200,000,000 paid as annual base payments;

27 (ii) any Interstate 80 savings for that fiscal year.

28 (2) If the conversion period has expired and a
29 conversion notice has not been received by the secretary, in
30 each subsequent fiscal year [until the end of the term of the

1 lease agreement] through fiscal year 2020-2021, the annual
2 additional payments shall be \$250,000,000. No annual
3 additional payments shall be due after fiscal year 2020-2021.

4 "Annual base payments." An amount equal to the sum of the
5 following:

6 (1) Annual debt service on outstanding bonds issued
7 under section 9511.2 (relating to special revenue bonds)
8 payable as required pursuant to the bonds.

9 (2) Two hundred million dollars payable annually through
10 fiscal year 2020-2021 in four equal installments each due the
11 last business day of each July, October, January and April.
12 No annual base payments shall be due after fiscal year 2020-
13 2021.

14 * * *

15 "Scheduled annual commission contribution." The following
16 amounts:

17 (1) \$750,000,000 in fiscal year 2007-2008.

18 (2) \$850,000,000 in fiscal year 2008-2009.

19 (3) \$900,000,000 in fiscal year 2009-2010.

20 (4) For fiscal year 2010-2011 and each fiscal year
21 thereafter through fiscal year 2020-2021, the amount shall be
22 the amount calculated for the previous year increased by
23 2.5%, except that the amount shall be equal to the annual
24 base payments plus \$250,000,000 if the conversion notice is
25 not received by the secretary prior to the expiration of the
26 conversion period. No scheduled commission contribution
27 annual additional payments shall be due after fiscal year
28 2020-2021.

29 Section 27. Section 8915.6(a) and (b)(1) of Title 75 are
30 amended to read:

1 § 8915.6. Deposit and distribution of funds.

2 (a) Deposits.--Upon receipt by the department, the following
3 amounts from the scheduled annual commission contribution shall
4 be deposited in the Motor License Fund:

5 (1) For fiscal year [2007-2008, \$450,000,000] 2013-2014,
6 \$145,000,000.

7 (2) For fiscal year [2008-2009, \$500,000,000] 2014-2015,
8 \$145,000,000.

9 (3) For fiscal year [2009-2010, \$500,000,000] 2015-2016,
10 \$90,000,000.

11 (3.1) For fiscal year 2016-2017, \$90,000,000.

12 (4) For fiscal year [2010-2011] 2017-2018 and each
13 fiscal year thereafter, [the amount calculated for the
14 previous year increased by 2.5%] \$35,000,000.

15 (b) Distribution.--The following shall apply:

16 [(1) Annually, 15% of the amount deposited in any fiscal
17 year under subsection (a) shall be distributed at the
18 discretion of the secretary.]

19 * * *

20 Section 28. The definition of "average wholesale price" in
21 section 9002 of Title 75 is amended to read:

22 § 9002. Definitions.

23 The following words and phrases when used in this chapter
24 shall have the meanings given to them in this section unless the
25 context clearly indicates otherwise:

26 * * *

27 "Average wholesale price." The average wholesale price per
28 gallon of all taxable liquid fuels and fuels, excluding the
29 Federal excise tax and all liquid fuels taxes, as determined by
30 the Department of Revenue for the 12-month period ending on the

1 September 30 immediately prior to January 1 of the year for
2 which the rate is to be set[. In] except as follows:

3 (1) For the period beginning July 1, 2013, and ending
4 December 31, 2013, the average wholesale price shall be
5 \$1.87.

6 (2) For the period beginning January 1, 2014, and ending
7 December 31, 2014, the average wholesale price shall be
8 \$2.49.

9 (3) For the period beginning January 1, 2015, and ending
10 December 31, 2015, the average wholesale price shall be
11 \$3.11.

12 (4) Beginning January 1, 2016, in no case shall the
13 average wholesale price be less than [90¢ nor more than
14 \$1.25] \$2.49 per gallon.

15 * * *

16 Section 29. Sections 9004(a), 9106(b), 9502(a) and 9511(b)
17 and (g) of Title 75 are amended to read:

18 § 9004. Imposition of tax, exemptions and deductions.

19 (a) Liquid fuels and fuels tax.--A [permanent State tax of
20 12¢ a gallon or fractional part thereof] State tax is imposed
21 and assessed upon all liquid fuels and fuels used or sold and
22 delivered by distributors within this Commonwealth[.] as
23 follows:

24 (1) Eleven cents a gallon or fractional part thereof
25 from July 1, 2013, until June 30, 2014.

26 (2) Ten cents a gallon or fractional part thereof from
27 July 1, 2014, until June 30, 2015.

28 (3) Twelve cents a gallon or fractional part thereof
29 beginning July 1, 2015, and thereafter.

30 * * *

1 § 9106. Dirt and gravel road maintenance.

2 * * *

3 (b) General rule.--Of the funds available under section
4 9502(a)(1) (relating to imposition of tax), [\$1,000,000]
5 \$3,000,000 shall be annually distributed to the Department of
6 Conservation and Natural Resources for the maintenance and
7 mitigation of dust and sediment pollution from forestry roads.
8 Funds in the amount of [\$4,000,000] \$12,000,000 shall be
9 appropriated annually to the State Conservation Commission and
10 administered in a nonlapsing, nontransferable account restricted
11 to maintenance and improvement of dirt and gravel roads. The
12 State Conservation Commission shall apportion the funds based on
13 written criteria it develops to establish priorities based on
14 preventing dust and sediment pollution. In the first fiscal
15 year, top priority shall be given to specific trouble spot
16 locations already mapped by the Task Force on Dirt and Gravel
17 Roads and available from the department.

18 * * *

19 § 9502. Imposition of tax.

20 (a) General rule.--

21 (1) An "oil company franchise tax for highway
22 maintenance and construction" which shall be an excise tax of
23 60 mills is hereby imposed upon all liquid fuels and fuels as
24 defined and provided in Chapter 90 (relating to liquid fuels
25 and fuels tax), and such tax shall be collected as provided
26 in section 9004(b) (relating to imposition of tax, exemptions
27 and deductions). Of the amount collected in fiscal year 2015-
28 2016, and each fiscal year thereafter, \$20,000,000 shall be
29 deposited in the Multimodal Transportation Fund established
30 under 74 Pa.C.S. § 2101 (relating to Multimodal

1 Transportation Fund), to be expended in accordance with
2 section 11 of Article VIII of the Constitution of
3 Pennsylvania.

4 (2) An additional 55 mills is hereby imposed on all
5 liquid fuels and fuels as defined and provided in Chapter 90
6 and such tax shall also be collected as provided in section
7 9004(b), the proceeds of which shall be distributed as
8 follows:

9 (i) [~~Forty-two~~] Twenty-nine percent to county
10 maintenance districts for highway maintenance for fiscal
11 year 2013-2014 and 19% for fiscal year 2014-2015 and each
12 year thereafter. This allocation shall be made according
13 to the formula provided in section 9102(b) (2) (relating
14 to distribution of State highway maintenance funds). This
15 allocation shall be made in addition to and not a
16 replacement for amounts normally distributed to county
17 maintenance districts under section 9102.

18 (ii) [~~Seventeen~~] Thirty percent for highway capital
19 projects[.] for fiscal year 2013-2014 and 40% for fiscal
20 year 2014-2015 and each year thereafter.

21 (iii) Thirteen percent for bridges.

22 (iv) Two percent for bridges identified as county or
23 forestry bridges.

24 (v) Twelve percent for local roads pursuant to
25 section 9511(c) (relating to basic allocation to
26 municipalities).

27 (vi) Fourteen percent for toll roads designated
28 pursuant to the act of September 30, 1985 (P.L.240,
29 No.61), known as the Turnpike Organization, Extension and
30 Toll Road Conversion Act, to be appropriated under

1 section 9511(h).

2 (3) An additional 38.5 mills is hereby imposed upon all
3 liquid fuels and fuels as defined and provided in Chapter 90,
4 and such tax shall also be collected as provided in section
5 9004(b), the proceeds of which shall be deposited in The
6 Motor License Fund and distributed as follows:

7 (i) Twelve percent to municipalities on the basis of
8 and subject to the provisions of the act of June 1, 1956
9 (1955 P.L.1944, No.655), referred to as the Liquid Fuels
10 Tax Municipal Allocation Law, is appropriated.

11 (ii) [Eighty-eight percent to the department is
12 appropriated as follows:

13 (A) Forty-seven percent for distribution in
14 accordance with section 9102(b)(2) for fiscal year
15 1997-1998.

16 (B) Fifty-three percent for a Statewide highway
17 restoration, betterment and resurfacing program for
18 fiscal year 1997-1998.

19 (C) Fifty-seven percent for distribution in
20 accordance with section 9102(b)(2) for fiscal year
21 1998-1999.

22 (D) Forty-three percent for a Statewide highway
23 restoration, betterment and resurfacing program for
24 fiscal year 1998-1999.

25 (E) Sixty-seven percent for distribution in
26 accordance with section 9102(b)(2) for fiscal year
27 1999-2000.

28 (F) Thirty-three percent for a Statewide highway
29 restoration, betterment and resurfacing program for
30 fiscal year 1999-2000.

1 (G) Seventy-seven percent for distribution in
2 accordance with section 9201(b)(2) for fiscal year
3 2000-2001.

4 (H) Twenty-three percent for a Statewide highway
5 restoration, betterment and resurfacing program for
6 fiscal year 2000-2001.

7 (I) One hundred percent for distribution in
8 accordance with section 9102(b)(2) for fiscal year
9 2001-2002 and each year thereafter.

10 (J) For any fiscal year beginning with 1997-1998
11 through and including fiscal year 2000-2001, the
12 department shall make supplemental maintenance
13 program payments from the Statewide highway
14 restoration betterment program to those county
15 maintenance districts for which the total highway
16 maintenance appropriations and executive
17 authorizations in accordance with section 9102(b)
18 would be less than the amount received in 1996-1997
19 from the highway maintenance appropriation, the
20 Secondary Roads-Maintenance and Resurfacing Executive
21 Authorization, the Highway Maintenance Excise Tax
22 Executive Authorization and the Highway Maintenance
23 Supplemental Appropriation.

24 The words and phrases used in this paragraph shall have the
25 meanings given to them in section 9101 (relating to
26 definitions). This one-time allocation shall be made in
27 addition to and is not a replacement for amounts normally
28 distributed to county maintenance districts under section
29 9102.] Fifty-three percent to the department for distribution
30 in accordance with section 9102(b)(2) for fiscal year 2013-

1 2014 and 40% for fiscal year 2014-2015 and each fiscal year
2 thereafter.

3 (iii) Thirty-five percent to the department for
4 expanded highway and bridge maintenance for fiscal year
5 2013-2014 and 48% for fiscal year 2014-2015 and each
6 fiscal year thereafter to be distributed as follows:

7 (A) Annually, 15% of the amount deposited in a
8 fiscal year shall be distributed at the discretion of
9 the secretary.

10 (B) Any funds deposited but not distributed
11 under clause (A) shall be distributed in accordance
12 with the formula under section 9102(b)(2).

13 (C) Temporary transfers of funds may be made
14 between counties if required for project cash flow.

15 (4) An additional 55 mills is hereby imposed upon all
16 fuels as defined and provided in chapter 90 and such tax
17 shall also be collected as provided in section 9004(b) upon
18 such fuels, the proceeds of which shall be deposited in The
19 Highway Bridge Improvement Restricted Account within the
20 Motor License Fund and is hereby appropriated.

21 § 9511. Allocation of proceeds.

22 * * *

23 (b) State Highway Transfer Restoration Restricted Account
24 and local bridges.--

25 (1) The amount of the proceeds deposited in the Motor
26 License Fund pursuant to this chapter which[, in fiscal year
27 1983-1984,] is attributable to [two] three mills of the tax
28 imposed under section 9502(a) (relating to imposition of tax)
29 [and which, in fiscal year 1984-1985 and thereafter, is
30 attributable to three mills of the tax,] shall be deposited

1 as follows:

2 (i) For fiscal years 2013-2014 through fiscal year
3 2016-2017, as follows:

4 (A) Twenty-seven million dollars shall be
5 deposited in the State Highway Transfer Restoration
6 Restricted Account within the Motor License Fund. The
7 funds deposited in the State Highway Transfer
8 Restoration Restricted Account shall be appropriated
9 annually for expenditure as provided under subsection
10 (g).

11 (B) All funds not deposited in accordance with
12 clause (A) shall be deposited in the Highway Bridge
13 Improvement Restricted Account within the Motor
14 License Fund for local bridges, notwithstanding if
15 the project is administered by a county, municipality
16 or the department.

17 (ii) For fiscal year 2017-2018 and each fiscal year
18 thereafter, as follows:

19 (A) One and one-half mill shall be deposited in
20 the State Highway Transfer Restoration Restricted
21 Account within the Motor License Fund, which account
22 is hereby created. The funds deposited in the State
23 Highway Transfer Restoration Restricted Account are
24 hereby annually appropriated out of the account upon
25 authorization by the Governor for expenditure as
26 provided in subsection (g).

27 (B) One and one-half mill shall be deposited in
28 the Highway Bridge Improvement Restricted Account
29 within the Motor License Fund for local bridges,
30 notwithstanding if the project is administered by a

1 county, municipality or the department.

2 (2) If funds are available to make payments under
3 subsection (g)(1), the department may transfer funds
4 deposited under subparagraphs (i) and (ii) between the State
5 Highway Transfer Restoration Restricted Account and the
6 Highway Bridge Improvement Restricted Account at the
7 discretion of the secretary.

8 * * *

9 (g) Use of funds in the State Highway Transfer Restoration
10 Restricted Account.--The funds appropriated in subsection (b)
11 for deposit in the State Highway Transfer Restoration Restricted
12 Account shall be used to pay for the costs of restoration of
13 such highways as provided in Chapter 92 (relating to transfer of
14 State highways) and annual payments to the municipalities for
15 highway maintenance in accordance with the following:

16 (1) Annual maintenance payments shall be at the rate of
17 \$4,000 per mile for each highway or portion of highway
18 transferred under Chapter 92, section 222 of the act of June
19 1, 1945 (P.L.1242, No.428), known as the State Highway Law,
20 or any statute enacted in 1981.

21 (2) Annual maintenance payments shall be paid at the
22 same time as funds appropriated under the act of June 1, 1956
23 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax
24 Municipal Allocation Law, except that no maintenance payment
25 shall be paid for a highway until after the year following
26 its transfer to the municipality.

27 (3) Annual maintenance payments under this subsection
28 shall be in lieu of annual payments under the Liquid Fuels
29 Tax Municipal Allocation Law.

30 (4) Annual maintenance payments under this subsection

1 shall be deposited into the municipality's liquid fuels tax
2 account and may be used on any streets and highways in the
3 municipality in the same manner and subject to the same
4 restrictions as liquid fuels tax funds paid under the Liquid
5 Fuels Tax Municipal Allocation Law or, in the case of a
6 county, under section 10 of the act of May 21, 1931 (P.L.149,
7 No.105), known as The Liquid Fuels Tax Act.

8 * * *

9 Section 30. The following shall apply:

10 (1) No later than two years following the effective date
11 of this section, the Joint State Government Commission shall
12 conduct a study and submit a report to the Governor, the
13 chairman and minority chairman of the Transportation
14 Committee of the Senate and the chairman and minority
15 chairman of the Transportation Committee of the House of
16 Representatives reviewing replacement funding for the
17 revenues deposited in the Public Transportation Trust Fund
18 under 74 Pa.C.S. § 1506 (b) (1) and the revenues deposited in
19 the Motor License Fund under 75 Pa.C.S. § 8915.6 (b) (2) and
20 (3). The report shall include:

21 (i) Identification of sources of recurring revenue
22 that are estimated to generate no less than \$450,000,000
23 on an annual basis.

24 (ii) Identification of specific legislative action
25 necessary to generate the sources of recurring revenue
26 identified under subparagraph (i).

27 (iii) A ranking in descending order of the sources
28 of revenue identified under subparagraph (i), based upon
29 the Joint State Government Commission's recommendation of
30 which revenue sources are most viable.

1 (2) Entities affected by this section shall provide data
2 to complete the report under paragraph (1). In its
3 recommendations, the Joint State Government Commission may
4 propose appropriate additional legislative changes to the
5 Governor and the General Assembly.
6 Section 31. This act shall take effect in 60 days.