

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 207 Session of
2001INTRODUCED BY CIVERA, MICOZZIE, ADOLPH, LAWLESS, MAJOR, FORCIER
AND WATSON, JANUARY 24, 2001AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
FEBRUARY 12, 2001

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for exemption of persons,
3 entities and vehicles from fees; AUTHORIZING THE ATTORNEY
4 GENERAL TO ISSUE SUBPOENAS FOR THE PURPOSE OF INVESTIGATING
5 GASOLINE AND FUEL PRICES; PROVIDING FOR A SHARED-RIDE PROGRAM
6 FOR PERSONS WITH SPECIAL MEDICAL NEEDS; AND MAKING AN
7 APPROPRIATION. <—

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 1901(c) of Title 75 of the Pennsylvania
11 Consolidated Statutes is amended by adding paragraphs to read:
12 § 1901. Exemption of persons, entities and vehicles from fees.

13 * * *

14 (c) Processing fee in lieu of registration fee.--No
15 registration fee shall be charged for vehicles registered by any
16 of the following but the department shall charge a fee of \$10 to
17 cover the costs of processing for issuing or renewing the
18 registration:

19 * * *

1 (24) Any person who is an active volunteer firefighter
2 or fire police officer who annually participates in at least
3 40% of the emergency calls to which that fire department had
4 been dispatched to respond. The chief or president of the
5 volunteer fire department shall sign the applicant's request
6 form to the department, thus affirming the applicant's
7 current active participation with the volunteer fire
8 department.

9 (25) Any person who is an emergency medical technician-
10 paramedic as defined in the act of July 3, 1985 (P.L.164,
11 No.45), known as the Emergency Medical Services Act, who
12 annually participates in at least 40% of the emergency calls
13 to which the ambulance service was dispatched to respond. The
14 president of the ambulance service shall sign the applicant's
15 request form to the department, thus affirming the
16 applicant's current active participation with the ambulance
17 service.

18 * * *

19 SECTION 2. TITLE 75 IS AMENDED BY ADDING CHAPTERS TO READ: <—

20 CHAPTER 74

21 ATTORNEY GENERAL

22 SEC.

23 7401. ATTORNEY GENERAL INVESTIGATION INTO GASOLINE PRICES.

24 § 7401. ATTORNEY GENERAL INVESTIGATION INTO GASOLINE PRICES.

25 TO INVESTIGATE THE AVAILABILITY, SUPPLY AND PRICE OF

26 GASOLINE, DIESEL FUEL, HEATING OIL, KEROSENE AND PROPANE IN

27 PENNSYLVANIA, THE ATTORNEY GENERAL IS AUTHORIZED TO ISSUE

28 SUBPOENAS FOR PERSONS AND DOCUMENTS THAT MAY ASSIST THE ATTORNEY

29 GENERAL IN INVESTIGATING THE CAUSES OF ANY PRICE HIKES OF MORE

30 THAN 50% TO PENNSYLVANIA CONSUMERS FOR ANY OF THESE FUELS IN ANY

1 PERIOD UP TO A YEAR TO DETERMINE IF ANY FEDERAL OR STATE CRIMES
2 HAVE BEEN COMMITTED.

3 CHAPTER 78
4 SPECIAL PROGRAMS

5 SUBCHAPTER

6 A. PERSONS WITH SPECIAL MEDICAL NEEDS SHARED-RIDE PROGRAM

7 SUBCHAPTER A

8 PERSONS WITH SPECIAL MEDICAL NEEDS

9 SHARED-RIDE PROGRAM

10 SEC.

11 7801. SHORT TITLE OF SUBCHAPTER.

12 7802. LEGISLATIVE INTENT.

13 7803. DEFINITIONS.

14 7804. PERSONS WITH SPECIAL MEDICAL NEEDS SHARED-RIDE PROGRAM.

15 7805. CONSTRUCTION.

16 § 7801. SHORT TITLE OF SUBCHAPTER.

17 THIS SUBCHAPTER SHALL BE KNOWN AND MAY BE CITED AS THE
18 PERSONS WITH DISABILITIES SHARED-RIDE PROGRAM ACT.

19 § 7802. LEGISLATIVE INTENT.

20 IT IS THE INTENT OF THE GENERAL ASSEMBLY AND THE PURPOSE OF
21 THIS SUBCHAPTER IS TO INCREASE PUBLIC TRANSPORTATION
22 OPPORTUNITIES FOR PENNSYLVANIA CITIZENS WHO HAVE SPECIAL MEDICAL
23 NEEDS THAT LIMIT THEIR MOBILITY. GRANTS MADE BY THIS PROGRAM ARE
24 INTENDED TO SUPPLEMENT AND SHALL NOT SUPPLANT EXISTING
25 TRANSPORTATION FUNDS OR EXISTING TRANSPORTATION SERVICES FOR
26 PERSONS WITH DISABILITIES.

27 § 7803. DEFINITIONS.

28 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS SUBCHAPTER
29 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
30 CONTEXT CLEARLY INDICATES OTHERWISE:

1 "COUNTY TRANSPORTATION SYSTEM." BUSES, VANS OR OTHER TRANSIT
2 VEHICLES PURCHASED, MAINTAINED AND OPERATED BY A COUNTY OR ITS
3 AGENTS AND USED TO PROVIDE FREE OR REDUCED RATE TRANSPORTATION
4 WITHIN THE COUNTY TO ELIGIBLE PERSONS WITH DISABILITIES OR
5 SPECIAL MEDICAL NEEDS.

6 "ELIGIBLE APPLICANT." A PROVIDER OF SHARED-RIDE PROGRAMS FOR
7 THE ELDERLY, COUNTY, COUNTY TRANSPORTATION SYSTEM,
8 TRANSPORTATION AUTHORITY, LOCAL TRANSPORTATION ORGANIZATION,
9 MUNICIPALITY, TRANSPORTATION COMPANY OR URBAN COMMON CARRIER
10 MASS TRANSPORTATION PROVIDER.

11 "FIXED-ROUTE PUBLIC TRANSPORTATION SERVICES." REGULARLY
12 SCHEDULED TRANSPORTATION THAT IS AVAILABLE TO THE GENERAL PUBLIC
13 AND IS PROVIDED ACCORDING TO PUBLISHED SCHEDULES ALONG
14 DESIGNATED PUBLISHED ROUTES WITH SPECIFIED STOPPING POINTS FOR
15 THE TAKING ON AND DISCHARGING OF PASSENGERS. ELIGIBLE SERVICES
16 INCLUDE PUBLIC BUS AND COMMUTER RAIL SYSTEMS. THE TERM DOES NOT
17 INCLUDE EXCLUSIVE RIDE TAXI SERVICE, CHARTER OR SIGHTSEEING
18 SERVICES, NONPUBLIC TRANSPORTATION AND SCHOOL BUS OR LIMOUSINE
19 SERVICES.

20 "LOCAL TRANSPORTATION ORGANIZATION." A MUNICIPALITY OR MASS
21 TRANSPORTATION, PORT, REDEVELOPMENT OR AIRPORT AUTHORITY
22 ORGANIZED UNDER THE LAWS OF PENNSYLVANIA OR PURSUANT TO AN
23 INTERSTATE COMPACT OR OTHERWISE EMPOWERED TO RENDER, CONTRACT
24 FOR THE RENDERING OR ASSIST IN THE RENDERING OF TRANSPORTATION
25 SERVICE IN A LIMITED AREA IN THIS COMMONWEALTH, EVEN THOUGH IT
26 MAY ALSO RENDER OR ASSIST IN RENDERING TRANSPORTATION SERVICE IN
27 ADJACENT STATES.

28 "PERSON WITH SPECIAL MEDICAL NEEDS." AN INDIVIDUAL WITH A
29 MEDICAL CONDITION THAT REQUIRES MEDICAL SERVICES ON A MINIMUM OF
30 A WEEKLY BASIS AS CERTIFIED BY A MEDICAL DOCTOR AND WHICH MAY

1 PREVENT THE PERSON FROM TRANSPORTING HIMSELF OR ENGAGING IN
2 REGULARLY PROVIDED PUBLIC TRANSPORTATION SYSTEMS.

3 "PROGRAM." SHARED-RIDE PUBLIC TRANSPORTATION SERVICES FOR
4 PERSONS WITH SPECIAL MEDICAL NEEDS ESTABLISHED BY THIS
5 SUBCHAPTER.

6 "PROVIDER." AN ELIGIBLE APPLICANT THAT APPLIES FOR AND IS
7 APPROVED FOR GRANT FUNDS UNDER THIS SUBCHAPTER.

8 "SHARED-RIDE PUBLIC TRANSPORTATION SERVICES." THE TERM SHALL
9 INCLUDE DEMAND-RESPONSIVE TRANSPORTATION THAT IS AVAILABLE TO
10 THE GENERAL PUBLIC, OPERATES ON A NONFIXED-ROUTE BASIS AND
11 CHARGES A FARE TO ALL RIDERS. FOR TRANSPORTATION TO BE INCLUDED
12 IN THIS TERM, THE FIRST FARE-PAYING PASSENGERS TO ENTER THE
13 PUBLIC TRANSPORTATION VEHICLE MAY NOT REFUSE TO SHARE THE
14 VEHICLE WITH OTHER PASSENGERS DURING A GIVEN TRIP. THE TERM DOES
15 NOT INCLUDE EXCLUSIVE RIDE TAXI SERVICE, CHARTER OR SIGHTSEEING
16 SERVICES, NONPUBLIC TRANSPORTATION AND SCHOOL BUS OR LIMOUSINE
17 SERVICES.

18 "TRANSIT VEHICLE." A SELF-PROPELLED OR ELECTRICALLY
19 PROPELLED VEHICLE DESIGNED FOR CARRYING FOUR OR MORE PASSENGERS,
20 EXCLUSIVE OF THE DRIVER, OTHER THAN A TAXICAB, DESIGNED AND USED
21 FOR THE TRANSPORTATION OF PERSONS FOR COMPENSATION.

22 "TRANSPORTATION COMPANY." A PERSON, FIRM OR CORPORATION
23 RENDERING PUBLIC PASSENGER SERVICE, WITH OR WITHOUT THE
24 RENDERING OF ANOTHER SERVICE, IN THIS COMMONWEALTH PURSUANT TO
25 COMMON CARRIER AUTHORIZATION FROM THE PENNSYLVANIA PUBLIC
26 UTILITY COMMISSION OR THE INTERSTATE COMMERCE COMMISSION.

27 "URBAN COMMON CARRIER MASS TRANSPORTATION." TRANSPORTATION
28 WITHIN AN AREA THAT INCLUDES A MUNICIPALITY OR OTHER BUILT-UP
29 PLACE WHICH IS APPROPRIATE, IN THE JUDGMENT OF THE DEPARTMENT,
30 FOR A COMMON CARRIER TRANSPORTATION SYSTEM TO SERVE COMMUTERS OR

1 OTHERS IN THE LOCALITY, TAKING INTO CONSIDERATION THE LOCAL
2 PATTERNS AND TRENDS OF URBAN GROWTH, BY BUS OR RAIL OR OTHER
3 CONVEYANCE, EITHER PUBLICLY OR PRIVATELY OWNED, SERVING THE
4 GENERAL PUBLIC, BUT NOT INCLUDING SCHOOL BUSES OR CHARTER OR
5 SIGHTSEEING SERVICES.

6 § 7804. PERSONS WITH SPECIAL MEDICAL NEEDS SHARED-RIDE PROGRAM.

7 (A) POWER AND DUTY OF DEPARTMENT.--THE DEPARTMENT SHALL
8 ESTABLISH AND ADMINISTER A PROGRAM AUTHORIZING GRANTS TO
9 ELIGIBLE APPLICANTS THAT AGREE TO PROVIDE SHARED-RIDE PUBLIC
10 TRANSPORTATION SERVICES TO ELIGIBLE PERSONS WITH SPECIAL MEDICAL
11 NEEDS. AS PART OF THE PROGRAM, THE DEPARTMENT SHALL:

12 (1) ESTABLISH A PROCESS THROUGH WHICH POTENTIAL
13 PROVIDERS RECEIVE NOTICE OF THE PROGRAM, ARE GIVEN THE
14 OPPORTUNITY TO SUBMIT GRANT PROPOSALS AND ARE EVALUATED BASED
15 ON ELIGIBILITY CRITERIA ESTABLISHED BY THIS SUBCHAPTER.

16 (2) AWARD GRANTS TO PROVIDERS THAT MEET THE ELIGIBILITY
17 CRITERIA ESTABLISHED BY THIS SUBCHAPTER.

18 (3) ENTER INTO CONTRACTS WITH PROVIDERS THAT MEET THE
19 ELIGIBILITY CRITERIA ESTABLISHED BY THIS SUBCHAPTER.

20 (B) REQUEST FOR PROPOSAL PROCESS.--THE DEPARTMENT SHALL
21 ESTABLISH A REQUEST FOR PROPOSAL PROCESS WHEREIN NOTICE OF THE
22 PROGRAM IS PUBLISHED IN THE PENNSYLVANIA BULLETIN, ELIGIBLE
23 APPLICANTS ARE GIVEN AN OPPORTUNITY TO SUBMIT PROPOSALS AND THE
24 PROPOSALS ARE EVALUATED. FOR ANY ELIGIBLE APPLICANT TO RECEIVE
25 GRANT FUNDS UNDER THE PROGRAM, THE APPLICANT'S PROPOSAL MUST
26 DEMONSTRATE EACH OF THE FOLLOWING:

27 (1) THE APPLICANT HAS THE ABILITY TO PROVIDE SHARED-
28 RIDE, POINT-TO-POINT ACCESSIBLE SERVICES FOR ELIGIBLE PERSONS
29 WITH SPECIAL MEDICAL NEEDS.

30 (2) THE APPLICANT HAS THE ABILITY TO LIMIT ACCESS TO THE

PROGRAM TO THOSE ELIGIBLE PERSONS WITH SPECIAL MEDICAL NEEDS.

(3) THE APPLICANT HAS THE ABILITY TO ADMINISTER THE PROGRAM SUCH THAT ELIGIBLE PERSONS WITH SPECIAL MEDICAL NEEDS PAY NO MORE THAN 15% OF THE FULL-FARE COST OF THE TRANSPORTATION.

(4) THE APPLICANT HAS THE ABILITY TO IMPLEMENT AN ELIGIBILITY VERIFICATION PROCESS TO ENSURE THAT ACCESS TO THE PROGRAM IS LIMITED TO ELIGIBLE PERSONS WITH SPECIAL MEDICAL NEEDS.

(5) THE APPLICANT HAS THE ABILITY TO COMPILE SUCH INFORMATION AS THE DEPARTMENT MAY REQUIRE.

(6) THE APPLICANT HAS THE ABILITY TO SOLICIT AND RECEIVE PUBLIC PARTICIPATION FROM PERSONS WITH SPECIAL MEDICAL NEEDS IN THE DEVELOPMENT OF THE APPLICATION AND THE PLANNING, IMPLEMENTATION AND ADMINISTRATION OF THE PROGRAM.

(7) THE APPLICANT HAS THE ABILITY TO SERVE EITHER PORTIONS OF A COUNTY THAT ARE RURAL IN NATURE OR PORTIONS OF A COUNTY NOT CURRENTLY SERVED BY FIXED-ROUTE PUBLIC TRANSPORTATION SERVICES.

(C) GRANT AWARDS.--THE DEPARTMENT MAY AWARD GRANTS TO ANY PROVIDER THAT MEETS THE ELIGIBILITY CRITERIA IN SUBSECTION (B), PROVIDED, THAT, IN DETERMINING GRANT AWARDS, THE DEPARTMENT SHALL:

(1) ENSURE THAT APPLICANTS FROM RURAL, SUBURBAN AND URBAN AREAS OF THIS COMMONWEALTH ARE CONSIDERED FOR GRANT FUNDS.

(2) GIVE PRIORITY TO APPLICANTS WHOSE SERVICE AREAS ARE RURAL IN NATURE OR WHOSE SERVICE AREAS ARE NOT CURRENTLY SERVED BY FIXED-ROUTE PUBLIC TRANSPORTATION SERVICES.

(3) GIVE PRIORITY TO APPLICANTS THAT HAVE THE ABILITY TO

1 PROVIDE OR COORDINATE SERVICES ACROSS COUNTY LINES.

2 (D) LIMITATION ON GRANT AMOUNTS.--GRANTS AUTHORIZED TO A
3 PROVIDER UNDER THIS SUBCHAPTER SHALL BE LIMITED TO AN AMOUNT
4 EQUAL TO 85% OF THE TOTAL COST OF EACH PROVIDER'S PROGRAM.
5 INDIVIDUALS UTILIZING THE PROGRAM SHALL CONTRIBUTE THE REMAINING
6 15% THROUGH FARES.

7 (E) AGREEMENT.--THE DEPARTMENT MAY ENTER INTO AN AGREEMENT
8 WITH ANY PROVIDER THAT MEETS THE CRITERIA UNDER SUBSECTIONS (B)
9 AND (C) TO AWARD GRANT FUNDS UNDER THIS SUBCHAPTER. THE
10 AGREEMENT SHALL INCLUDE TERMS REQUIRING THAT GRANT FUNDS BE USED
11 IN ACCORDANCE WITH THE PROPOSAL SUBMITTED TO THE DEPARTMENT BY
12 THE PROVIDER. THE TIME, PAYMENT, AMOUNT AND ANY OTHER CONDITIONS
13 ON THE RECEIPT OF THE GRANT FUNDS SHALL BE SET FORTH IN THE
14 AGREEMENT.

15 § 7805. CONSTRUCTION.

16 NOTHING IN THIS SUBCHAPTER SHALL BE CONSTRUED AS CREATING OR
17 PROVIDING ANY INDIVIDUAL WITH AN ENTITLEMENT TO SERVICES.
18 SERVICES UNDER THIS SUBCHAPTER SHALL BE MADE AVAILABLE ONLY TO
19 THE EXTENT OF AVAILABILITY AND LEVEL OF APPROPRIATIONS MADE BY
20 THE GENERAL ASSEMBLY.

21 SECTION 3. THE SUM OF \$2,000,000, OR AS MUCH THEREOF AS MAY
22 BE NECESSARY, IS HEREBY APPROPRIATED TO THE DEPARTMENT OF
23 TRANSPORTATION TO CARRY OUT THE PERSONS WITH SPECIAL MEDICAL
24 NEEDS SHARED-RIDE PROGRAM ESTABLISHED IN 75 PA.C.S. CH. 78
25 SUBCH. A.

26 Section ~~2~~ 4. This act shall take effect in 60 days.

<—