

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

AS AMENDED ON THIRD CONSIDERATION, JUNE 4, 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 <--
6 ADMINISTRATIVE PRACTICE AND PROCEDURE, FURTHER PROVIDING FOR
7 MINORITY AND WOMEN-OWNED BUSINESS PARTICIPATION; in
8 sustainable mobility options, further providing for
9 definitions, for the Public Transportation Trust Fund, for
10 application and approval process, for executive and
11 legislative reports, for coordination, for asset improvement
12 program, for Statewide programs and for capital improvements
13 program; providing for ALTERNATIVE ENERGY CAPITAL INVESTMENT <--
14 PROGRAM AND FOR multimodal transportation funding; IN AIRPORT <--
15 OPERATION AND ZONING, FURTHER PROVIDING FOR THE IMPOSITION OF
16 A RENTAL CAR CUSTOMER FACILITY CHARGE BY A CITY OF THE FIRST
17 CLASS, FOR THE COLLECTION OF THE CUSTOMER FACILITY CHARGE ON
18 BEHALF OF THE CITY BY RENTAL CAR COMPANIES LEASING SPACE OR
19 OBTAINING CUSTOMERS AT AN INTERNATIONAL AIRPORT, FOR USE OF
20 THE PROCEEDS OF THE RENTAL CAR CUSTOMER FACILITY CHARGE FOR
21 THE DEVELOPMENT, MAINTENANCE AND OPERATION OF A CONSOLIDATED
22 RENTAL CAR FACILITY TO IMPROVE SERVICES TO THE PUBLIC AT THE
23 AIRPORT; FOR AN AGREEMENT BETWEEN A CITY OF THE FIRST CLASS
24 AND RENTAL CAR COMPANIES RELATING TO THE DEVELOPMENT AND USE
25 OF THE CONSOLIDATED CAR RENTAL FACILITY AND FOR THE
26 ADMINISTRATION AND ENFORCEMENT OF THE RENTAL CAR CUSTOMER
27 FACILITY CHARGE; in the Pennsylvania Turnpike, further
28 providing for definitions, for commission and for electronic
29 toll collection; in public-private transportation
30 partnerships, further providing for agreement; providing for
31 traffic signals and for the Bridge Bundling Program; in

1 registration of vehicles, further providing for certain
2 special plates and providing for suspension of registration
3 upon unpaid tolls; in licensing of drivers, further providing
4 for expiration and renewal of drivers' licenses, for
5 occupational limited license and for probationary license; in
6 commercial drivers, further providing for fees; in financial
7 responsibility, further providing for required financial
8 responsibility; in fees, further providing for collection and
9 disposition of fees and money, for passenger cars, for motor
10 homes, for motorcycles, for motor-driven cycles, for trucks
11 and truck tractors, for motor buses and limousines, for
12 school buses and school vehicles, for trailers, for special
13 mobile equipment, for implements of husbandry, for antique,
14 classic and collectible vehicles, for farm vehicles, for
15 ambulances, taxis and hearses, for dealers and miscellaneous
16 motor vehicle business, for farm equipment vehicle dealers,
17 for transfer of registration, for temporary and
18 electronically issued registration plates, for replacement
19 registration plates, for certain registration plates, for
20 duplicate registration cards, for commercial implements of
21 husbandry, for special hauling permits as to weight and size,
22 for annual hauling permits, for mobile homes, modular housing
23 units and modular housing undercarriages, for books of
24 permits, for refund of certain fees, for driver's license and
25 learner's permit, for certificate of title, for security
26 interest, for information concerning drivers and vehicles,
27 for certified copies of records, for uncollectible checks,
28 for certificate of inspection, for messenger service, for
29 reinstatement of operating privilege or vehicle registration
30 and for secure power of attorney; in motor carriers road tax
31 identification markers, further providing for identification
32 markers and license or road tax registration card required;
33 in general provisions, further providing for obedience to
34 traffic-control devices; in State and local powers, further
35 providing for regulation of traffic on Pennsylvania Turnpike;
36 in penalties and disposition of fines, further providing for
37 surcharge; in snowmobiles and all-terrain vehicles, further
38 providing for fees; in Pennsylvania Turnpike, further
39 providing for definitions and for deposit and distribution of
40 funds; in liquid fuels and fuels tax, further providing for
41 definitions and for imposition, tax, exemptions and
42 deductions; in State highway maintenance, further providing
43 for dirt and gravel road maintenance; in taxes for highway
44 maintenance and construction, further providing for
45 imposition and for allocation of proceeds; and directing the
46 Joint State Government Commission to study replacement funds.

47 The General Assembly finds and declares as follows:

48 (1) It is the purpose of this act to ensure that a safe
49 and reliable system of transportation is available to the
50 residents of this Commonwealth.

51 (2) The Commonwealth's transportation system includes
52 nearly 40,000 miles of roads and 25,000 bridges owned by the
53 Commonwealth, nearly 77,000 miles of roads and 12,000 bridges

1 owned by counties and municipal governments, 36 fixed-route
2 public transportation agencies, 67 railroads, 133 public use
3 airports, the Ports of Erie, Philadelphia and Pittsburgh, and
4 numerous bicycle and pedestrian facilities.

5 (3) The Commonwealth's transportation system provides
6 for access to employment, educational services, medical care
7 and other life-sustaining services for all residents of this
8 Commonwealth, including senior citizens and people with
9 disabilities.

10 (4) The Department of Transportation of the Commonwealth
11 has indicated that 9,000 miles of roads owned by the
12 Commonwealth are in poor condition and that 4,400 bridges
13 owned by the Commonwealth are rated structurally deficient.
14 The State Transportation Advisory Committee has indicated
15 that 2,189 bridges exceeding 20 feet in length owned by
16 counties and municipalities are rated structurally deficient.

17 (5) There is urgent public need to reduce congestion,
18 increase capacity, improve safety and promote economic
19 efficiency of transportation facilities throughout this
20 Commonwealth.

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

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

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

1 (9) The utilization of user fees establishes a funding
2 source for transportation needs that spreads the costs across
3 those who benefit from the Commonwealth's transportation
4 system.

5 (10) Pursuant to section 11 of Article VIII of the
6 Constitution of Pennsylvania, all highway and bridge user
7 fees must be used solely for construction, reconstruction,
8 maintenance and repair of and safety on public highways and
9 bridges and costs and expenses incident thereto.

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

15 (12) IN FURTHERANCE OF THE COMMONWEALTH'S ENERGY POLICY, <--
16 WHICH INCLUDES BECOMING INDEPENDENT FROM OVERRELIANCE ON
17 FOREIGN ENERGY SOURCES, PROGRAMS MUST BE ESTABLISHED TO
18 PROMOTE RELIANCE ON OR CONVERSION TO ALTERNATIVE ENERGY
19 SOURCES, INCLUDING THE VAST NATURAL GAS SUPPLY OF THIS
20 COMMONWEALTH.

21 ~~(12)~~ (13) Recognition and furtherance of all these <--
22 elements is essential to promoting the health, safety and
23 welfare of the citizens of this Commonwealth.

24 The General Assembly of the Commonwealth of Pennsylvania
25 hereby enacts as follows:

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

28 § 8621. The Governor Robert P. Casey Memorial Organ and Tissue
29 Donation Awareness Trust Fund contributions.

30 (a) Driver's license.--Beginning as soon as practicable, but

1 no later than January 1, 1995, the Department of Transportation
2 shall provide an applicant for an original or renewal driver's
3 license or identification card the opportunity to make a
4 contribution of [\$1] \$3 to the fund. The contribution shall be
5 added to the regular fee for an original or renewal driver's
6 license or identification card. One contribution may be made for
7 each issuance or renewal of a license or identification card.
8 Contributions shall be used exclusively for the purposes set out
9 in section 8622 (relating to The Governor Robert P. Casey
10 Memorial Organ and Tissue Donation Awareness Trust Fund). The
11 Department of Transportation shall monthly determine the total
12 amount designated under this section and shall report that
13 amount to the State Treasurer, who shall transfer that amount to
14 The Governor Robert P. Casey Memorial Organ and Tissue Donation
15 Awareness Trust Fund.

16 (b) Vehicle registration.--The Department of Transportation
17 shall provide an applicant for a renewal vehicle registration
18 the opportunity to make a contribution of [\$1] \$3 to The
19 Governor Robert P. Casey Memorial Organ and Tissue Donation
20 Awareness Trust Fund. The contribution shall be added to the
21 regular fee for a renewal of a vehicle registration. One
22 contribution may be made for each renewal vehicle registration.
23 Contributions shall be used exclusively for the purposes
24 described in section 8622. The Department of Transportation
25 shall monthly determine the total amount designated under this
26 section and shall report that amount to the State Treasurer, who
27 shall transfer that amount to The Governor Robert P. Casey
28 Memorial Organ and Tissue Donation Awareness Trust Fund. The
29 Governor Robert P. Casey Memorial Organ and Tissue Donation
30 Awareness Trust Fund shall reimburse the department for the

1 initial costs incurred in the development and implementation of
2 the contribution program under this subsection. The General Fund
3 shall reimburse the Department of Transportation for the actual
4 annual operating costs of the program for vehicle registrations
5 as described in this subsection subject to the following limits:
6 For the first fiscal year during which this subsection is
7 effective, the General Fund shall reimburse the Department of
8 Transportation for the actual operating costs of the program in
9 this subsection up to a maximum of \$100,000. For each fiscal
10 year thereafter, the General Fund shall reimburse the Department
11 of Transportation for the actual operating costs of the program
12 in this subsection in an amount not to exceed the prior year's
13 actual operating costs on a full fiscal year basis plus 3%. The
14 amounts approved by the Governor as necessary are hereby
15 appropriated from the General Fund for this purpose.

16 SECTION 1.1. SECTION 303 OF TITLE 74 IS AMENDED TO READ: <--

17 § 303. [MINORITY AND WOMEN-OWNED] DIVERSE BUSINESS

18 PARTICIPATION.

19 (A) GENERAL RULE.--IN [ADMINISTERING] BIDDING AND AWARDING
20 CONTRACTS FOR TRANSPORTATION PROJECTS FUNDED PURSUANT TO THE
21 PROVISIONS OF THIS TITLE OR TITLE 75 (RELATING TO VEHICLES), THE
22 DEPARTMENT, THE COMMISSION AND ANY LOCAL TRANSPORTATION
23 ORGANIZATION SHALL:

24 (1) BE RESPONSIBLE FOR ENSURING THAT ALL COMPETITIVE
25 CONTRACT OPPORTUNITIES ISSUED BY THE DEPARTMENT, THE
26 COMMISSION OR LOCAL TRANSPORTATION ORGANIZATION SEEK TO
27 MAXIMIZE PARTICIPATION BY [MINORITY-OWNED AND WOMEN-OWNED
28 BUSINESSES AND OTHER DISADVANTAGED] DIVERSE BUSINESSES.

29 (1.1) INCLUDE IN INFORMATION AND BID DOCUMENTS RELEASED
30 FOR BIDDING OR SOLICITATION ON ALL COMPETITIVE CONTRACTING

1 OPPORTUNITIES NOTICE TO THE BIDDER THAT:

2 (I) A PRIME CONTRACTOR IS REQUIRED TO DOCUMENT AND
3 SUBMIT ALL GOOD FAITH EFFORTS TO SOLICIT SUBCONTRACTORS
4 FROM DIVERSE BUSINESSES DURING THE PREBID AND BIDDING
5 PROCESS, WHICH SHALL BE EVALUATED BY CONTRACTING
6 ENTITIES.

7 (II) THE PRIME CONTRACTOR MUST INCLUDE IN THE BID
8 THE NAME AND BUSINESS ADDRESS OF EACH SUBCONTRACTOR
9 CERTIFIED AS A DIVERSE BUSINESS THAT WILL PERFORM WORK OR
10 LABOR, OR RENDER SERVICES TO THE PRIME CONTRACTOR IN
11 CONNECTION WITH THE PERFORMANCE OF THE CONTRACT.

12 (2) [GIVE] ENCOURAGE CONTRACTORS TO UTILIZE AND GIVE
13 CONSIDERATION[, WHEN POSSIBLE AND COST EFFECTIVE,] TO
14 CONTRACTORS OFFERING TO UTILIZE [MINORITY-OWNED AND WOMEN-
15 OWNED BUSINESSES AND DISADVANTAGED] DIVERSE BUSINESSES IN THE
16 SELECTION AND AWARD OF CONTRACTS.

17 (3) ENSURE THAT THE DEPARTMENT'S, THE COMMISSION'S AND
18 LOCAL TRANSPORTATION ORGANIZATIONS' COMMITMENT TO [THE
19 MINORITY-OWNED AND WOMEN-OWNED BUSINESS PROGRAM]
20 PARTICIPATION BY DIVERSE BUSINESSES IS CLEARLY UNDERSTOOD AND
21 APPROPRIATELY IMPLEMENTED AND ENFORCED BY ALL APPLICABLE
22 DEPARTMENT, COMMISSION AND LOCAL TRANSPORTATION ORGANIZATION
23 EMPLOYEES.

24 (4) DESIGNATE A RESPONSIBLE OFFICIAL TO SUPERVISE THE
25 DEPARTMENT, THE COMMISSION AND LOCAL TRANSPORTATION
26 ORGANIZATION [MINORITY-OWNED AND WOMEN-OWNED] DIVERSE
27 BUSINESS PROGRAM AND ENSURE COMPLIANCE WITHIN THE DEPARTMENT, THE COMMISSION OR LOCAL TRANSPORTATION ORGANIZATION.
28

29 (5) [FURNISH THE DEPARTMENT OF GENERAL SERVICES, UPON
30 REQUEST, ALL REQUESTED INFORMATION OR ASSISTANCE.]

1 (RESERVED).

2 (6) [RECOMMEND SANCTIONS TO THE SECRETARY OF GENERAL
3 SERVICES,] IMPOSE SANCTIONS AS MAY BE APPROPRIATE UNDER 62
4 PA.C.S. PT. I (RELATING TO COMMONWEALTH PROCUREMENT CODE),
5 AGAINST BUSINESSES THAT FAIL TO COMPLY WITH THIS SECTION OR
6 THE POLICIES OF THE COMMONWEALTH [MINORITY-OWNED AND WOMEN-
7 OWNED] DIVERSE BUSINESS [PROGRAM] PROGRAMS. THIS PARAGRAPH
8 SHALL NOT APPLY TO A LOCAL TRANSPORTATION ORGANIZATION.

9 (A.1) ADDITIONAL DUTIES OF DEPARTMENT.--THE DEPARTMENT, WITH
10 THE ASSISTANCE OF THE DISADVANTAGE BUSINESS ENTERPRISE
11 SUPPORTIVE SERVICES CENTER, SHALL HAVE THE FOLLOWING DUTIES:

12 (1) CONDUCT THE NECESSARY AND APPROPRIATE OUTREACH,
13 INCLUDING USING THE DATABASE AVAILABLE ON THE INTERNET
14 WEBSITE OF THE DEPARTMENT OF GENERAL SERVICES, FOR PURPOSES
15 OF IDENTIFYING DIVERSE BUSINESSES IN GENERAL CONSTRUCTION
16 CAPABLE OF PERFORMING CONTRACTS SUBJECT TO THIS SECTION.

17 (2) BY OCTOBER 1, 2014, AND EACH OCTOBER 1 THEREAFTER,
18 SUBMIT A REPORT TO THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
19 TRANSPORTATION COMMITTEE OF THE SENATE AND THE CHAIRMAN AND
20 MINORITY CHAIRMAN OF THE TRANSPORTATION COMMITTEE OF THE
21 HOUSE OF REPRESENTATIVES SUMMARIZING THE PARTICIPATION LEVEL
22 OF DIVERSE BUSINESSES IN ALL COMPETITIVE CONTRACT
23 OPPORTUNITIES ISSUED BY THE DEPARTMENT, THE COMMISSION OR
24 LOCAL TRANSPORTATION ORGANIZATION. THE COMMISSION OR LOCAL
25 TRANSPORTATION ORGANIZATION SHALL COOPERATE WITH THE
26 DEPARTMENT TO COMPLETE THE REPORT. THE REPORT SHALL INCLUDE:

27 (I) THE PERCENTAGE OF PARTICIPATION BY DIVERSE
28 BUSINESSES.

29 (II) THE TOTAL VALUE OF ALL CONTRACTS OR
30 SUBCONTRACTS OR OTHER PROCUREMENT CONTRACTS EXECUTED BY

1 DIVERSE BUSINESSES PURSUANT TO THIS SECTION IN THE PRIOR
2 YEAR.

3 (III) THE NUMBER OF BUSINESSES PENALIZED FOR
4 VIOLATING THIS SECTION.

5 (3) TRANSMIT THE REPORT UNDER PARAGRAPH (2) TO THE
6 MINORITY BUSINESS DEVELOPMENT AUTHORITY, ESTABLISHED UNDER
7 THE ACT OF JULY 22, 1974 (P.L.598, NO.206), KNOWN AS THE
8 "PENNSYLVANIA MINORITY BUSINESS DEVELOPMENT AUTHORITY ACT."
9 THE AUTHORITY SHALL REVIEW THE REPORT TO ASSESS THE
10 EFFECTIVENESS IN ADVANCING THIS SECTION AND TO MAKE ANY
11 RECOMMENDATIONS FOR CHANGES IN THIS SECTION DEEMED NECESSARY
12 OR DESIRABLE TO THE SECRETARY AND THE CHAIRMAN AND MINORITY
13 CHAIRMAN OF THE TRANSPORTATION COMMITTEE OF THE SENATE AND
14 THE CHAIRMAN AND MINORITY CHAIRMAN OF THE TRANSPORTATION
15 COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

16 (A.2) APPLICABILITY.--THE FOLLOWING SHALL APPLY TO
17 CONTRACTORS AND CONTRACTS SUBJECT TO SUBSECTION (A):

18 (1) THE PROVISIONS OF 62 PA.C.S. § 2108 (RELATING TO
19 COMPLIANCE WITH FEDERAL REQUIREMENTS).

20 (2) PROMPT PAYMENT POLICIES BETWEEN A CONTRACTOR AND
21 SUBCONTRACTOR ADOPTED BY THE DEPARTMENT OF GENERAL SERVICES
22 PURSUANT TO 62 PA.C.S. PT. I.

23 (B) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
24 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
25 SUBSECTION:

26 "COMMISSION." AS DEFINED IN SECTION 8102 (RELATING TO
27 DEFINITIONS).

28 "DISADVANTAGED BUSINESS." A BUSINESS THAT IS OWNED OR
29 CONTROLLED BY A MAJORITY OF PERSONS, NOT LIMITED TO MEMBERS OF
30 MINORITY GROUPS, WHO ARE SUBJECT TO RACIAL OR ETHNIC PREJUDICE

OR CULTURAL BIAS.

"DIVERSE BUSINESS." A DISADVANTAGED BUSINESS, MINORITY-OWNED OR WOMEN-OWNED BUSINESS OR SERVICE-DISABLED VETERAN-OWNED OR VETERAN-OWNED SMALL BUSINESS.

"LOCAL TRANSPORTATION ORGANIZATION." ANY OF THE FOLLOWING:

(1) A POLITICAL SUBDIVISION OR A PUBLIC TRANSPORTATION AUTHORITY, PORT AUTHORITY OR REDEVELOPMENT AUTHORITY ORGANIZED UNDER THE LAWS OF THIS COMMONWEALTH OR PURSUANT TO AN INTERSTATE COMPACT OR OTHERWISE EMPOWERED TO RENDER, CONTRACT FOR THE RENDERING OF OR ASSIST IN THE RENDERING OF TRANSPORTATION SERVICE IN A LIMITED AREA IN THIS COMMONWEALTH, EVEN THOUGH IT MAY ALSO RENDER OR ASSIST IN RENDERING TRANSPORTATION SERVICE IN ADJACENT STATES.

(2) A NONPROFIT ASSOCIATION THAT DIRECTLY OR INDIRECTLY PROVIDES PUBLIC TRANSPORTATION SERVICE.

(3) A NONPROFIT ASSOCIATION OF PUBLIC TRANSPORTATION PROVIDERS OPERATING WITHIN THIS COMMONWEALTH.

"MINORITY-OWNED BUSINESS." A BUSINESS OWNED AND CONTROLLED BY A MAJORITY OF INDIVIDUALS WHO ARE AFRICAN AMERICANS, HISPANIC AMERICANS, NATIVE AMERICANS, ASIAN AMERICANS, ALASKANS OR PACIFIC ISLANDERS.

"SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS." AS DEFINED IN 51 PA.C.S. § 9601 (RELATING TO DEFINITIONS).

"VETERAN-OWNED SMALL BUSINESS." AS DEFINED IN 51 PA.C.S. § 9601 (RELATING TO DEFINITIONS).

"WOMEN-OWNED BUSINESS." A BUSINESS OWNED AND CONTROLLED BY A MAJORITY OF INDIVIDUALS WHO ARE WOMEN.

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

1 § 1503. Definitions.

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

5 * * *

6 "Base operating allocation." The total amount of State
7 operating assistance, reimbursement in lieu of fares for senior
8 passengers and other assistance which was used for operating
9 assistance as determined by the department in [fiscal year 2005-
10 2006] the last full fiscal year that the qualifying local
11 transportation organization received the assistance, INCLUDING <--
12 THE FUNDS RECEIVED UNDER SECTION 1517.1 (RELATING TO ALTERNATIVE
13 ENERGY CAPITAL INVESTMENT PROGRAM).

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

22 * * *

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

25 § 1506. Fund.

26 * * *

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

28 (1) The following apply:

29 (i) [Except as provided under subparagraph (ii),

30 upon] Upon receipt, the department shall deposit into the

1 fund the revenues received by the department under 75
2 Pa.C.S. Ch. 89 (relating to Pennsylvania Turnpike) and
3 the lease agreement executed between the department and
4 the Pennsylvania Turnpike Commission under 75 Pa.C.S. §
5 8915.3 (relating to lease of Interstate 80; related
6 agreements) [as follows:

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

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

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

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

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

22 * * *

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

25 (1) 4.4% of the amount collected under Article II of the
26 Tax Reform Code. Revenues under this paragraph shall be
27 deposited into the fund by the 20th day of each month for the
28 preceding month. The amount deposited under this paragraph is
29 estimated to be equivalent to the money available to the
30 department from the following sources:

1 (i) The Supplemental Public Transportation Account
2 established under former section 1310.1 (relating to
3 supplemental public transportation assistance funding).

4 (ii) The amount appropriated annually by the
5 Commonwealth from the General Fund for mass transit
6 programs pursuant to a General Appropriations Act.

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

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

12 (4) The revenues from the surcharge imposed under 75
13 Pa.C.S. § 6506(a.1) (relating to surcharge).

14 (5) The revenues deposited in the fund in accordance
15 with 75 Pa.C.S. § 3111(a.1)(2)(ii) (relating to obedience to
16 traffic-control devices).

17 (5.1) IF, BY JULY 1, 2021, LEGISLATION IS NOT ENACTED TO <--
18 REPLACE THE REVENUE DEPOSITED IN THE FUND UNDER SUBSECTION
19 (B) (1), IN FISCAL YEAR 2021-2022 AND IN EACH FISCAL YEAR
20 THEREAFTER, THE FOLLOWING SHALL APPLY:

21 (I) AN AMOUNT EQUAL TO THAT REVENUE SHALL BE
22 DEPOSITED IN THE FUND.

23 (II) NOTWITHSTANDING ANY OTHER PROVISION OF LAW,
24 THE SOURCE OF THE REVENUE DEPOSITED IN THE FUND UNDER
25 THIS PARAGRAPH SHALL BE THE RECEIPTS FROM THE TAX
26 COLLECTED UNDER SECTION 238 OF THE TAX REFORM CODE ON
27 MOTOR VEHICLES, TRAILERS AND SEMI-TRAILERS.

28 (6) Other appropriations, deposits or transfers to the
29 fund.

30 * * *

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 (A) By the proceeds of Commonwealth capital
5 bonds deposited into the fund under subsection (c)
6 (2).

7 [(A.1) For fiscal year 2007-2008, \$50,000,000
8 from the revenues received by the department under 75
9 Pa.C.S. Ch. 89 and the lease agreement executed
10 between the department and the Pennsylvania Turnpike
11 Commission under 75 Pa.C.S. § 8915.3. The amount
12 received by the department under this section shall
13 be deposited into the fund prior to distribution and
14 shall be in addition to the amounts received under
15 subsection (b)(1).

16 (B) For fiscal year 2008-2009, \$100,000,000 from
17 the revenues received by the department under 75
18 Pa.C.S. Ch. 89 and the lease agreement executed
19 between the department and the Pennsylvania Turnpike
20 Commission under 75 Pa.C.S. § 8915.3. The amount
21 received by the department under this section shall
22 be deposited into the fund prior to distribution and
23 shall be in addition to the amounts received under
24 subsection (b)(1).

25 (C) For fiscal year 2009-2010, \$150,000,000 from
26 the revenues received by the department under 75
27 Pa.C.S. Ch. 89 and the lease agreement executed
28 between the department and the Pennsylvania Turnpike
29 Commission under 75 Pa.C.S. § 8915.3. The amount
30 received by the department under this section shall

1 be deposited into the fund prior to distribution and
2 shall be in addition to the amounts received under
3 subsection (b) (1) .

4 (D) For fiscal year 2010-2011 and each fiscal
5 year thereafter, the amount calculated for the prior
6 fiscal year increased by 2.5% from the revenues
7 received by the department under 75 Pa.C.S. Ch. 89
8 and the lease agreement executed between the
9 department and the Pennsylvania Turnpike Commission
10 under 75 Pa.C.S. § 8915.3. The amount received by the
11 department under this section shall be deposited into
12 the fund prior to distribution and shall be in
13 addition to the amounts received under subsection (b)
14 (1) .]

15 (E) Ninety five percent of the remaining revenue
16 deposited in the fund under subsection (b) (1), after
17 the allocation of \$30,000,000 to the Multimodal
18 Transportation Fund under section 2102 (relating to
19 deposits to fund) .

20 (F) The revenues deposited in the fund under
21 subsection (c) (4) and (5) .

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

26 (3) For the program established under section 1516
27 (relating to programs of Statewide significance), 13.24% of
28 the revenues deposited in the fund under subsection (c) (1)
29 shall be allocated from the fund in addition to the remaining
30 revenue deposited in the fund under subsection (b) (1) .

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

7 (5) FOR THE PROGRAM ESTABLISHED UNDER SECTION 1517.1 <--
8 (RELATING TO ALTERNATIVE ENERGY CAPITAL INVESTMENTS PROGRAM),
9 NO MORE THAN \$60 MILLION OF THE REVENUES DEPOSITED IN THE
10 FUND UNDER SUBSECTION (C) MAY BE ALLOCATED FROM THE FUND.

11 Section 4. Section 1507(a)(6) and (c) of Title 74 are
12 amended and subsection (a) is amended by adding a paragraph to
13 read:

14 § 1507. Application and approval process.

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

19 * * *

20 (6) Evidence satisfactory to the department of the
21 commitment for matching funds required under this chapter
22 sufficient to match the projected financial assistance
23 payments [at the same times that the financial assistance
24 payments are to be provided.], provided no later than June 30
25 of the applicable fiscal year. If the evidence required under
26 this paragraph is not provided to the satisfaction of the
27 department, subsequent funding under section 1513 (relating
28 to operating program) shall be withheld until the applicant
29 meets the requirements of this paragraph.

30 (6.1) A statement of policy outlining the basic

1 principles for the adjustment of fare growth to meet the rate
2 of inflation.

3 * * *

4 (c) Restriction on use of funds.--[Financial] Unless the
5 department grants the award recipient a waiver allowing the
6 funds to be used for a different purpose, financial assistance
7 under this chapter shall be used only for activities set forth
8 under the financial assistance agreement [unless the department
9 grants the award recipient a waiver allowing the funds to be
10 used for a different purpose]. The department's regulations
11 shall describe circumstances under which it will consider waiver
12 requests and shall set forth all information to be included in a
13 waiver request. The [maximum duration of a waiver shall be one
14 year, and a] waiver request shall include a plan of corrective
15 action to demonstrate that the award recipient does not have an
16 ongoing need to use financial assistance funds for activities
17 other than those for which funds were originally awarded. The
18 duration of the waiver may not exceed the duration of the plan
19 of corrective action. The department shall monitor
20 implementation of the plan of corrective action. If the plan of
21 corrective action is not implemented by the local transportation
22 organization, the department shall rescind the waiver approval.

23 Section 5. Sections 1511 and 1512 of Title 74 are amended to
24 read:

25 § 1511. Report to Governor and General Assembly.

26 [The following shall apply:

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

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

3 § 1512. Coordination and consolidation.

4 (a) Coordination.--Coordination is required in regions where
5 two or more award recipients have services or activities for
6 which financial assistance is being provided under this chapter
7 to assure that the services or activities are provided
8 efficiently and effectively.

9 (b) Consolidation.--

10 (1) The department shall study the consolidation of
11 local transportation organizations as a means of reducing
12 annual expenses incurred by local transportation
13 organizations. The study shall examine the creation of
14 service regions to determine whether consolidation would
15 result in reduced annual expenses for the local
16 transportation organizations proposed to be consolidated.

17 (2) If the results of the study under paragraph (1)
18 conclude that consolidation will result in estimated annual
19 savings to one or more of the local transportation
20 organizations of at least \$2,000,000 or 25% of the local
21 match contribution under section 1513 (relating to operating
22 program) at the time of completion of the study, the local
23 transportation organization and municipality shall implement
24 the recommended action or provide increased local matching
25 funds equal to 25% of the transportation organization's and
26 local government's financial assistance under section 1513.

27 (3) The department shall waive the match increase under
28 paragraph (2) for a local transportation organization or
29 municipality if the local transportation organization or
30 municipality is the only entity willing to consolidate in

accordance with paragraph (2) and no consolidation occurs.

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

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

(2) include the expected dollar savings that will result from the consolidation.

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

§ 1514. Asset improvement program.

* * *

(e.1) Distribution.--The department shall allocate financial assistance under this section on a percentage basis of available funds each fiscal year as follows:

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

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

1 (3) Other local transportation organizations organized
2 and existing as the primary providers of public passenger
3 transportation for the counties of this Commonwealth not
4 identified under paragraph (1) or (2) shall receive 8% of the
5 funds available for distribution under this section. The
6 department shall allocate the funds under this paragraph
7 among the local transportation organizations.

8 (4) Notwithstanding paragraphs (1), (2) and (3) and
9 before distributing the funds under paragraph (1), (2) or
10 (3), the department shall set aside 5% of the funds available
11 for distribution under this section for discretionary use and
12 distribution by the secretary.

13 * * *

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

16 § 1516. Programs of Statewide significance.

17 * * *

18 (b) Persons with disabilities.--The department shall
19 establish and administer a program providing reduced fares to
20 persons with disabilities on community transportation services
21 and to provide financial assistance for start-up, administrative
22 and capital expenses related to reduced fares for persons with
23 disabilities. All of the following shall apply:

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

28 (2) The department may award financial assistance under
29 this subsection for program start-up and for continuing
30 capital expenses to offset administrative and capital

1 expenses. For community transportation trips made by eligible
2 persons with disabilities, financial assistance may be
3 awarded to an eligible community transportation system to
4 reimburse the system for up to 85% of the fare established
5 for the general public for each trip which is outside of
6 fixed-route and paratransit service areas and not eligible
7 for funding from any other program or funding source. The
8 person making the trip or an approved third-party sponsor
9 shall contribute the greater of 15% of the fare established
10 for the general public or the Americans with Disabilities Act
11 complementary paratransit fare.

12 * * *

13 (e) Technical assistance [and], demonstration and
14 emergency.--The department is authorized to provide financial
15 assistance under this section for technical assistance, research
16 and short-term demonstration or emergency projects. All of the
17 following shall apply:

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

21 (2) Financial assistance provided under this subsection
22 may be used for reimbursement for any approved operating or
23 capital costs related to technical assistance and
24 demonstration program projects. Financial assistance for
25 short-term demonstration projects may be provided at the
26 department's discretion on an annual basis based on the level
27 of financial commitment provided by the award recipient to
28 provide ongoing future funding for the project as soon as the
29 project meets the criteria established by the department and
30 the award recipient. Financial assistance for this purpose

1 shall not be provided for more than three fiscal years.
2 Financial assistance may be provided to meet any short-term
3 emergency need that requires immediate attention and cannot
4 be funded through other sources.

5 (3) Financial assistance under this subsection provided
6 to a local transportation organization shall be matched by
7 local or private cash funding in an amount not less than
8 3.33% of the amount of the financial assistance being
9 provided. The sources of funds for the local match shall be
10 subject to the requirements of section 1513(d)(3) (relating
11 to operating program).

12 (4) As follows:

13 (i) For short-term demonstration projects awarded
14 financial assistance under this subsection, the
15 department shall determine if the demonstration project
16 was successful based upon the performance criteria
17 established prior to the commencement of the
18 demonstration project and approved by the department.

19 (ii) If the department determines that the
20 demonstration project was successful, the local
21 transportation organization or agency or instrumentality
22 of the Commonwealth that conducted the demonstration
23 project shall be eligible to apply for and receive funds
24 under section 1513 to sustain and transition the
25 demonstration project into regular public passenger
26 transportation service.

27 (iii) During the first year in which the
28 demonstration project is eligible for and applies for
29 financial assistance under section 1513, the local
30 transportation organization or agency or instrumentality

1 of the Commonwealth that conducted the demonstration
2 project and transitioned it to regular public passenger
3 transportation service shall be eligible to receive
4 financial assistance up to 65% of the transportation
5 service's prior fiscal year operating costs or expenses
6 for the service as an initial base operating allocation.

7 (iv) The initial base operating allocation shall be
8 taken from the growth under section 1513 over the prior
9 year before distributing the remainder of the formula
10 described in section 1513.

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

12 [§ 1517. Capital improvements program.

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

15 (b) Applications.--The department shall establish the
16 contents of the application for the program established under
17 this section. The information shall be in addition to
18 information required under section 1507 (relating to application
19 and approval process).

20 (c) Distribution formula.--The department shall award
21 financial assistance under this section based on the number of
22 passengers. The actual amount awarded to a local transportation
23 organization under this subsection shall be calculated as
24 follows:

25 (1) Multiply the local transportation organization's
26 passengers by the total amount of funding available under
27 this section.

28 (2) Divide the product under paragraph (1) by the sum of
29 the passengers for all qualifying local transportation
30 organizations.

1 (d) Payments.--Financial assistance under this section shall
2 be paid to local transportation organizations at least
3 quarterly.

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

9 SECTION 8.1. TITLE 74 IS AMENDED BY ADDING A SECTION TO <--
10 READ:

11 § 1517.1. ALTERNATIVE ENERGY CAPITAL INVESTMENT PROGRAM.

12 (A) ESTABLISHMENT.--THE DEPARTMENT IS AUTHORIZED TO
13 ESTABLISH A COMPETITIVE GRANT PROGRAM TO IMPLEMENT CAPITAL
14 IMPROVEMENTS DEEMED NECESSARY TO SUPPORT CONVERSION OF A LOCAL
15 TRANSPORTATION ORGANIZATION'S FLEET TO AN ALTERNATIVE ENERGY
16 SOURCE, INCLUDING COMPRESSED NATURAL GAS.

17 (B) CRITERIA.--THE DEPARTMENT SHALL ESTABLISH CRITERIA FOR
18 AWARDING GRANTS UNDER THIS SECTION. CRITERIA SHALL, AT A
19 MINIMUM, INCLUDE FEASIBILITY, COST/BENEFIT ANALYSIS AND PROJECT
20 READINESS.

21 (C) ADDITIONAL AUTHORIZATION.--NOTWITHSTANDING ANY OTHER
22 PROVISIONS OF THIS SECTION OR OTHER LAW, THE DEPARTMENT MAY USE
23 FUNDS DESIGNATED FOR THE PROGRAM ESTABLISHED UNDER SUBSECTION
24 (A) TO SUPPLEMENT A LOCAL TRANSIT ORGANIZATION'S BASE OPERATING
25 ALLOCATION UNDER SECTION 1513 (RELATING TO OPERATING PROGRAM) IF
26 NECESSARY TO STABILIZE AN OPERATING BUDGET AND ENSURE THAT
27 EFFICIENT SERVICES MAY BE SUSTAINED TO SUPPORT ECONOMIC
28 DEVELOPMENT AND JOB CREATION AND RETENTION.

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

30 CHAPTER 21

MULTIMODAL TRANSPORTATION FUNDING

Sec.

2101. Multimodal Transportation Fund.

2102. Deposits to fund.

2103. Use of revenue.

2104. Distribution of revenue.

2105. Project selection criteria and agreement.

2106. Local match.

§ 2101. Multimodal Transportation Fund.

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

§ 2102. Deposits to fund.

The following shall be deposited in the Multimodal Transportation Fund:

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

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

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

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

<--

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

2 \$ 2103. Use of revenue.

3 ~~Money~~ UPON AGREEMENT OF A MAJORITY AMONG THE CHAIRMAN AND <--
4 MINORITY CHAIRMAN OF THE TRANSPORTATION COMMITTEE OF THE SENATE
5 AND OF THE CHAIRMAN AND MINORITY CHAIRMAN OF THE TRANSPORTATION
6 COMMITTEE OF THE HOUSE OF REPRESENTATIVES, MONEY in the fund
7 shall be used by the department as follows:

8 (1) To provide grants through the department's programs
9 relating to aviation, rail freight, passenger rail, port and
10 waterway, bicycle and pedestrian facilities, road and bridge
11 and other transportation modes.

12 (2) For costs incurred by the department in the
13 administration of a programs specified under paragraph (1).

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

17 \$ 2104. Distribution of revenue.

18 The revenue deposited in the fund shall be distributed
19 annually as follows:

20 (1) Six million dollars shall be designated for programs
21 related to aviation.

22 (2) ~~Six~~ TEN million dollars shall be designated for <--
23 programs related to rail freight.

24 (3) ~~Four~~ FIVE AND ONE-HALF million dollars shall be <--
25 designated for programs related to rail passengers.

26 (4) ~~Four~~ EIGHT million dollars shall be designated for <--
27 programs related to ports and waterways.

28 (5) TWO MILLION DOLLARS FOR PROGRAMS RELATED TO BICYCLE <--
29 AND PEDESTRIAN FACILITIES.

30 (6) THE DEPARTMENT MAY PROVIDE GRANTS FROM MONEY

1 AVAILABLE UNDER PARAGRAPH (7) FOR THE FOLLOWING:

2 (I) PROJECTS WHICH COORDINATE LOCAL LAND USE WITH
3 TRANSPORTATION ASSETS TO ENHANCE EXISTING COMMUNITIES.

4 (II) STREETScape, LIGHTING, SIDEWALK ENHANCEMENT,
5 PEDESTRIAN SAFETY AND RELATED PROJECTS.

6 (III) PROJECTS IMPROVING CONNECTIVITY OR UTILIZATION
7 OF EXISTING TRANSPORTATION ASSETS.

8 ~~(5)~~ (7) The remaining revenues shall be designated for <--
9 eligible programs under this chapter.

10 § 2105. Project selection criteria and agreement.

11 The department shall award grants under this chapter on a
12 competitive basis. The department may not reserve, designate or
13 set aside a specific level of funds or percentage of funds to an
14 applicant prior to the completion of the application process,
15 nor may the department designate a set percentage of funds to an
16 applicant.

17 § 2106. Local match.

18 Financial assistance under this section shall be matched by
19 county, municipal or private funding in an amount not less than
20 30% of the non-Federal share of the project cost. Matching funds
21 from a county or municipality shall only consist of cash
22 contributions provided by one or more counties or
23 municipalities.

24 SECTION 9.1. CHAPTER 59 OF TITLE 74 IS AMENDED BY ADDING A <--
25 SUBCHAPTER TO READ:

26 SUBCHAPTER C

27 FIRST CLASS CITY CONSOLIDATED CAR RENTAL FACILITY
28 SEC.

29 5931. SCOPE OF SUBCHAPTER.

30 5932. DEFINITIONS.

1 5933. CUSTOMER FACILITY CHARGE.

2 § 5931. SCOPE OF SUBCHAPTER.

3 THIS SUBCHAPTER RELATES TO FIRST CLASS CITY CONSOLIDATED
4 RENTAL CAR FACILITIES.

5 § 5932. DEFINITIONS.

6 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL
7 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
8 CONTEXT CLEARLY INDICATES OTHERWISE:

9 "AIRPORT." A PUBLIC INTERNATIONAL AIRPORT LOCATED PARTIALLY
10 IN A CITY OF THE FIRST CLASS AND PARTIALLY IN AN ADJACENT
11 MUNICIPALITY.

12 "AIRPORT OWNER." ANY OF THE FOLLOWING:

13 (1) A CITY WHICH OWNS AND OPERATES AN AIRPORT.

14 (2) AN AUTHORITY CREATED BY A CITY OF THE FIRST CLASS TO
15 OWN AND OPERATE AN AIRPORT OR ANY PORTION OR ACTIVITIES OF
16 THE AIRPORT.

17 "AIRPORT PROPERTY." PROPERTY OWNED AND OPERATED BY AN
18 AIRPORT OWNER, INCLUDING PROPERTY THAT IS LEASED, LICENSED OR
19 AVAILABLE FOR USE BY THE AIRPORT OWNER.

20 "CITY." A CITY OF THE FIRST CLASS.

21 "CONCESSION AGREEMENT." A REGULATION, CONTRACT, PERMIT,
22 LICENSE OR OTHER AGREEMENT ENTERED INTO BETWEEN AN AIRPORT OWNER
23 AND A VEHICLE RENTAL COMPANY WHICH INCLUDES THE TERMS AND
24 CONDITIONS UNDER WHICH THE COMPANY MAY TRANSACT ITS RENTAL
25 VEHICLE BUSINESS AT THE AIRPORT OR ON AIRPORT PROPERTY.

26 "CUSTOMER FACILITY CHARGE." A FEE ASSESSED ON EACH MOTOR
27 VEHICLE RENTAL FEE UNDER THIS SUBCHAPTER FOR THE PURPOSE OF
28 FUNDING ALL OR PART OF THE COST OF:

29 (1) A RENTAL FACILITY.

30 (2) A RENTAL FACILITY IMPROVEMENT.

1 (3) THE PROPORTIONATE COST OF A TRANSPORTATION SYSTEM.
2 (4) A RENTAL FACILITY OPERATION AND MAINTENANCE EXPENSE.
3 "MOTOR VEHICLE." A PRIVATE PASSENGER MOTOR VEHICLE THAT
4 MEETS ALL OF THE FOLLOWING:
5 (1) IS DESIGNED TO TRANSPORT NOT MORE THAN 15
6 PASSENGERS.
7 (2) IS RENTED FOR NOT MORE THAN 30 DAYS WITHOUT A
8 DRIVER.
9 (3) IS PART OF A FLEET OF AT LEAST FIVE PASSENGER
10 VEHICLES USED FOR THE PURPOSE UNDER PARAGRAPH (2).
11 (4) IS OWNED OR LEASED BY A VEHICLE RENTAL COMPANY.
12 "RENTAL FACILITY." A CONSOLIDATED FACILITY FOR THE USE OF A
13 VEHICLE RENTAL COMPANY TO CONDUCT BUSINESS ON AIRPORT PROPERTY.
14 "RENTAL FACILITY AGREEMENT." AN AGREEMENT ENTERED INTO
15 BETWEEN AN AIRPORT OWNER AND A VEHICLE RENTAL COMPANY WHICH
16 INCLUDES THE FOLLOWING:
17 (1) LOCATION, SCOPE OF OPERATIONS AND GENERAL DESIGN OF
18 THE RENTAL FACILITY, RENTAL FACILITY IMPROVEMENTS AND A
19 TRANSPORTATION SYSTEM WHICH CONNECTS TO A TERMINAL OR RELATED
20 STRUCTURE.
21 (2) THE MANNER IN WHICH THE PROCEEDS OF THE CUSTOMER
22 FACILITY CHARGE ARE TO BE USED FOR THE DEVELOPMENT,
23 OPERATION, MAINTENANCE AND FUNDING OF A RENTAL FACILITY, A
24 RENTAL FACILITY IMPROVEMENT, THE PROPORTIONATE COST OF A
25 TRANSPORTATION SYSTEM AND THE COST OF OPERATIONS AND
26 MAINTENANCE.
27 (3) A PROCEDURE AND REQUIREMENT FOR A CONSULTATION
28 REGARDING THE IMPLEMENTATION OF THIS SUBCHAPTER AND THE
29 DISCLOSURE TO VEHICLE RENTAL COMPANIES OF INFORMATION
30 RELATING TO THE COLLECTION AND USE OF THE CUSTOMER FACILITY

1 CHARGE.

2 (4) A METHODOLOGY AND PROCEDURE BY WHICH THE AMOUNT OF
3 THE CUSTOMER FACILITY CHARGE WILL BE CALCULATED AND ADJUSTED.

4 "RENTAL FACILITY IMPROVEMENT." A FACILITY OR STRUCTURE ON
5 AIRPORT PROPERTY THAT IS FOR THE COMMON USE OF VEHICLE RENTAL
6 COMPANIES. THE TERM SHALL INCLUDE PLANNING, FINANCE, DESIGN,
7 CONSTRUCTION, EQUIPPING OR FURNISHING OF THE FACILITY OR
8 STRUCTURE.

9 "RENTAL FACILITY OPERATIONS AND MAINTENANCE." THE COST OF
10 OPERATING AND MAINTAINING A RENTAL FACILITY, INCLUDING THE DAY-
11 TO-DAY COST.

12 "TRANSPORTATION SYSTEM." A SYSTEM WHICH TRANSPORTS AN
13 ARRIVING OR DEPARTING VEHICLE RENTAL CUSTOMER BETWEEN A TERMINAL
14 AND RELATED STRUCTURE AND THE RENTAL FACILITY.

15 "VEHICLE RENTAL COMPANY." A BUSINESS ENTITY WHICH MEETS ALL
16 OF THE FOLLOWING:

17 (1) IS ENGAGED IN THE BUSINESS OF RENTING A MOTOR
18 VEHICLE IN THIS COMMONWEALTH TO A CUSTOMER USING AIRPORT
19 PROPERTY.

20 (2) OPERATES FROM AN ON-AIRPORT OR AN OFF-AIRPORT
21 FACILITY.

22 § 5933. CUSTOMER FACILITY CHARGE.

23 (A) IMPOSITION.--A CITY MAY IMPOSE A CUSTOMER FACILITY
24 CHARGE OF NOT MORE THAN \$8 PER RENTAL DAY ON A CUSTOMER RENTING
25 A MOTOR VEHICLE FROM A VEHICLE RENTAL COMPANY DOING BUSINESS AT
26 AN AIRPORT. A CUSTOMER FACILITY CHARGE MAY:

27 (1) BE IMPOSED NOTWITHSTANDING THE ABSENCE OF AUTHORITY
28 IN A REGULATION, ON-AIRPORT CONCESSION AGREEMENT OR OFF-
29 AIRPORT CONCESSION AGREEMENT OR PERMIT; AND

30 (2) NOT AFFECT THE VALIDITY OR ENFORCEABILITY OF A

1 CONCESSION AGREEMENT OR PERMIT.

2 (B) AMENDMENT.--THE FOLLOWING SHALL APPLY:

3 (1) AFTER EXECUTING A RENTAL FACILITY AGREEMENT WITH
4 EACH VEHICLE RENTAL COMPANY, THE FOLLOWING SHALL APPLY:

5 (I) A CITY MAY INCREASE OR DECREASE THE CUSTOMER
6 FACILITY CHARGE IN AN AMOUNT NECESSARY TO FUND THE COSTS
7 AS AUTHORIZED UNDER THE RENTAL FACILITY AGREEMENT.

8 (II) THE TERMS OF THE RENTAL FACILITY AGREEMENT MAY
9 BE AMENDED UPON AGREEMENT BY THE AIRPORT OWNER AND EACH
10 VEHICLE RENTAL COMPANY NO MORE THAN ONCE PER CALENDAR
11 YEAR.

12 (2) AN AMENDED RENTAL FACILITY AGREEMENT MAY AUTHORIZE
13 THE INCREASE OR DECREASE OF THE AMOUNT OF THE CUSTOMER
14 FACILITY CHARGE TO FUND THE CURRENT COSTS AUTHORIZED UNDER
15 THE RENTAL FACILITY AGREEMENT.

16 (C) ENFORCEMENT.--THE TERMS OF A RENTAL FACILITY AGREEMENT
17 MAY BE INTERPRETED AND ENFORCED BY A COURT OF COMPETENT
18 JURISDICTION THROUGH THE IMPOSITION OF A MANDATORY OR
19 PROHIBITIVE INJUNCTION. MONETARY DAMAGES MAY NOT BE AWARDED TO A
20 VEHICLE RENTAL COMPANY OR TO A PERSON REQUIRED TO PAY THE
21 CUSTOMER FACILITY CHARGE FOR A VIOLATION OF THE TERMS AND
22 CONDITIONS OF THE RENTAL FACILITY AGREEMENT.

23 (D) TIME LIMITATION.--IF A RENTAL FACILITY AGREEMENT IS NOT
24 EXECUTED WITHIN TWO YEARS OF THE EFFECTIVE DATE OF THE
25 IMPLEMENTATION OF THE CUSTOMER FACILITY CHARGE, A CITY MAY
26 CONTINUE TO IMPOSE AND COLLECT THE CUSTOMER FACILITY CHARGE
27 AUTHORIZED UNDER SUBSECTION (A) OR PROCEED, IN CONSULTATION WITH
28 THE VEHICLE RENTAL COMPANIES, TO PLAN, DESIGN, FINANCE AND
29 CONSTRUCT A FACILITY TO BE USED FOR THE PROVISION OF VEHICLE
30 RENTAL SERVICE ON AIRPORT PROPERTY. THE COST TO A RENTAL VEHICLE

1 COMPANY OF THE FACILITY AND THE PROPORTIONATE COST OF A
2 TRANSPORTATION SYSTEM UNDER THIS SUBSECTION MAY NOT EXCEED THE
3 CUSTOMER FACILITY CHARGE.

4 (E) ADDITIONAL COST.--A CUSTOMER FACILITY CHARGE SHALL BE IN
5 ADDITION TO OTHER MOTOR VEHICLE RENTAL FEES AND TAXES IMPOSED
6 UNDER LAW, EXCEPT THAT THE CUSTOMER FACILITY CHARGE MAY NOT
7 CONSTITUTE PART OF THE PURCHASE PRICE OF A MOTOR VEHICLE RENTAL
8 IMPOSED UNDER ANY OF THE FOLLOWING:

9 (1) ARTICLE II OF THE ACT OF MARCH 4, 1971 (P.L.6,
10 NO.2), KNOWN AS THE TAX REFORM CODE OF 1971.

11 (2) THE ACT OF JUNE 5, 1991 (P.L.9, NO.6), KNOWN AS THE
12 PENNSYLVANIA INTERGOVERNMENTAL COOPERATION AUTHORITY ACT FOR
13 CITIES OF THE FIRST CLASS.

14 (3) A LAW SIMILAR TO THE STATUTES UNDER PARAGRAPHS (1)
15 AND (2).

16 (F) COLLECTION.--THE FOLLOWING SHALL APPLY:

17 (1) A CUSTOMER FACILITY CHARGE SHALL BE:

18 (I) COLLECTED FROM A CUSTOMER BY A VEHICLE RENTAL
19 COMPANY AND HELD IN A SEGREGATED TRUST FUND FOR THE
20 BENEFIT OF THE AIRPORT OWNER; AND

21 (II) PAID TO AN AIRPORT OWNER ON OR BEFORE THE LAST
22 DAY OF THE MONTH FOLLOWING THE MONTH IN WHICH THE
23 CUSTOMER FACILITY CHARGES ARE COLLECTED.

24 (2) A CUSTOMER FACILITY CHARGE MAY NOT CONSTITUTE GROSS
25 RECEIPTS OR INCOME OF A VEHICLE RENTAL COMPANY FOR THE
26 PURPOSE OF TAX IMPOSED BY THE COMMONWEALTH, THE CITY OR A
27 MUNICIPALITY.

28 (3) FUNDS IN A SEGREGATED TRUST FUND UNDER SUBSECTION
29 (A) MAY NOT BE PLEDGED, SUBJECTED TO A LIEN OR ENCUMBERED BY
30 A VEHICLE RENTAL COMPANY.

1 (G) USE.--PROCEEDS OF THE CUSTOMER FACILITY CHARGE SHALL BE
2 DEPOSITED BY THE AIRPORT OWNER INTO A SEGREGATED ACCOUNT TO BE
3 USED SOLELY FOR:

4 (1) THE PLANNING, DEVELOPMENT, FINANCING, CONSTRUCTION
5 AND OPERATION OF A RENTAL FACILITY.

6 (2) A RENTAL FACILITY IMPROVEMENT.

7 (3) THE PROPORTIONATE COST OF A TRANSPORTATION SYSTEM.

8 (4) A RENTAL FACILITY OPERATION AND MAINTENANCE.

9 (H) PLEDGE.--AN AIRPORT OWNER MAY PLEDGE CUSTOMER FACILITY
10 CHARGE REVENUES FOR ANY OF THE FOLLOWING:

11 (1) THE PLANNING AND DESIGN OF A RENTAL FACILITY.

12 (2) THE CREATION AND MAINTENANCE OF REASONABLE RESERVES
13 AND FOR THE PAYMENT OF DEBT SERVICE FOR THE PLANNING AND
14 DESIGN OF A RENTAL FACILITY.

15 (I) ADMINISTRATION.--AN AIRPORT OWNER MAY DO ANY OF THE
16 FOLLOWING:

17 (1) REQUIRE A VEHICLE RENTAL COMPANY TO PROVIDE PERIODIC
18 STATEMENTS OF ACCOUNT, FILE RETURNS, AUTHORIZE PAYMENTS AND
19 MAINTAIN RECORDS, IN ACCORDANCE WITH THE VEHICLE RENTAL
20 COMPANY'S OBLIGATIONS UNDER THIS SUBCHAPTER.

21 (2) CONDUCT AN EXAMINATION TO ENSURE A VEHICLE RENTAL
22 COMPANY'S COMPLIANCE WITH ITS OBLIGATIONS UNDER THIS
23 SUBCHAPTER AND MAY DO THE FOLLOWING:

24 (I) COLLECT AN AMOUNT DUE.

25 (II) IMPOSE A LIEN AND FILE A SUIT TO RECOVER AN
26 AMOUNT DUE.

27 (III) GRANT A REFUND.

28 (IV) REQUIRE THE PAYMENT OF AN AUTHORIZED ADDITION
29 TO A CUSTOMER FACILITY CHARGE, INTEREST AND PENALTY.

30 (V) ADOPT RULES AND REGULATIONS TO IMPLEMENT THIS

1 SECTION.

2 (VI) SEEK CRIMINAL PENALTIES, AS PROVIDED FOR A CITY
3 OF THE FIRST CLASS FOR THE COLLECTION OF TAXES, FOR
4 FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS
5 SUBCHAPTER.

6 Section 10. The definitions of "electronic toll collection,"
7 "owner" and "violation enforcement system" in section 8102 of
8 Title 74 are amended and the section is amended by adding
9 definitions to read:

10 § 8102. Definitions.

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

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

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

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

27 * * *

28 "Electronic toll collection." A system of collecting tolls
29 or charges [that is capable of charging an account holder for
30 the prescribed toll] by electronic transmission of information

1 [between], including by use of a device on a vehicle and a
2 device [in a toll lane] at a toll collection facility, open road
3 tolling, video tolling system or other similar structural or
4 technological enhancements related to tolling.

5 * * *

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

11 * * *

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

17 * * *

18 "Video tolling system." As follows:

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

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

30 "Violation." The failure to pay the prescribed toll as

1 provided under section 8117 (a)(1) (relating to toll
2 collection).

3 ["Violation enforcement system." A vehicle sensor, placed in
4 a location to work in conjunction with a toll collection
5 facility, which automatically produces a videotape or
6 photograph, microphotograph or other recorded image of the rear
7 portion of each vehicle at the time the vehicle is used or
8 operated in violation of the toll collection regulations. The
9 term includes any other technology which identifies a vehicle by
10 photographic, electronic or other method.]

11 Section 11. Sections 8105(b), 8117 and 9110(f)(5) of Title
12 74 are amended to read:

13 § 8105. Commission.

14 * * *

15 (b) Vacancies and terms.--

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

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

25 * * *

26 § 8117. [Electronic toll] Toll collection.

27 (a) Liability of owner.--

28 [(1) If an operator of a vehicle fails to pay the
29 prescribed toll at any location where tolls are collected by
30 means of electronic toll collection, the owner of the vehicle

1 shall be liable to the commission for failure of the operator
2 of the vehicle to comply with this section if the violation
3 is evidenced by information obtained from a violation
4 enforcement system.

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

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

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

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

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

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

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

1 following shall apply:

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

4 (i) The notice of violation must be sent by first
5 class mail to each person alleged to be liable as an
6 owner for a violation of this section.

7 (ii) The notice must be mailed at the address shown
8 on the vehicle registration or at the address of the
9 operator, as applicable. Notice must be mailed no later
10 than 60 days after:

11 (A) the alleged conduct; or

12 (B) the date the inference is overcome under
13 subsection (a) (2) .

14 (iii) Personal service is not required.

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

16 (A) Information advising the person charged of
17 the manner and time in which the liability alleged in
18 the notice may be contested.

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

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

1 section if the violation is evidenced by any of the
2 following:

3 (i) Information obtained from a video tolling
4 system.

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

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

15 (i) Testifies that the owner was not operating the
16 vehicle at the toll facility at the time of the
17 violation.

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

20 (iii) Reveals the name and residence address, if
21 known, of the operator of the vehicle or demonstrates to
22 the reasonable satisfaction of the commission that the
23 vehicle was misidentified.

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

30 (4) A court of competent jurisdiction shall admit as

1 prima facie evidence the verified statement relied upon under
2 paragraph (3). The operator of the vehicle may be held liable
3 under this section for failure to pay the prescribed toll in
4 the same manner as if the operator were the owner of the
5 vehicle if any of the following apply:

6 (i) The inference is overcome.

7 (ii) The operator of the vehicle utilized
8 certificate of passage toll collection.

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

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

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

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

27 (A) The date of the alleged conduct.

28 (B) The date the inference is overcome in
29 subsection (a)(2).

30 (C) The date that a lessor provides the

1 information required under subsection (b) (3) in a
2 manner that the lessee of the vehicle on the date of
3 violation is deemed to be the owner of the vehicle
4 for purposes of this section.

5 (iii) Personal service of the notice shall not be
6 required.

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

8 (A) The date, time and location of the alleged
9 violation and, if available, the license plate number
10 of the vehicle.

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

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

22 (v) A single notice with respect to multiple
23 violations may be sent if the notice meets the
24 requirements of this paragraph.

25 (1.1) A manual or automatic record of mailing prepared
26 in the ordinary course of business shall be prima facie
27 evidence of the mailing of notice.

28 (2) If an owner of a vehicle or an owner that is a
29 lessor of a vehicle receives a notice of violation under this
30 section for any time period during which the vehicle was

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

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

29 (4) A certified report or a facsimile report of an
30 authorized agent or employee of the commission reporting a

1 violation of this section or rules or regulations of the
2 commission based upon [the recorded information obtained from
3 a violation enforcement system] any of the following shall be
4 prima facie evidence of the facts contained in the report and
5 shall be admissible as an official record of regularly
6 conducted activity of the commission kept in the ordinary
7 course of business in any proceeding charging a violation of
8 this section or the toll collection rules or regulations of
9 the commission:

10 (i) The recorded information obtained from a video
11 tolling system.

12 (ii) A certificate of passage.

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

30 (i) shall not be deemed to preclude a court of

1 competent jurisdiction from issuing an order directing
2 that the information be provided to law enforcement
3 officials if the information is reasonably described and
4 is requested solely in connection with a criminal law
5 enforcement action;

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

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

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

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

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

1 the following:

2 (i) Either:

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

5 (B) the maximum toll from the farthest point of
6 entry on the [Pennsylvania Turnpike] tolled facility
7 to the actual point of exit if the amount of the toll
8 evaded or attempted to be evaded cannot be
9 determined.

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

16 (8.1) The following shall apply:

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

24 (ii) The department shall suspend the registration
25 of a vehicle upon the notification from the commission or
26 its authorized agent that the statutory owner or
27 registrant of the vehicle has failed to pay or defaulted
28 in the payment of six or more violations issued under
29 subsection (a)(1) or incurred unpaid tolls or
30 administrative fees or costs that total a minimum of

1 \$500. The suspension shall not be construed to limit the
2 commission's or its authorized agent's ability to recoup
3 tolls, administrative fees or costs.

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

12 (iv) The following shall apply:

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

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

30 (v) A suspension under subparagraph (ii) shall

1 continue until the department receives notice from the
2 commission or its authorized agent that all of the
3 violations are paid, dismissed, reversed on appeal or
4 canceled or the defendant enters into an agreement with
5 the commission or its authorized agent to make
6 installment payments for the tolls, administrative fees
7 and costs imposed and pays the fee prescribed under 75
8 Pa.C.S. § 1960 (relating to reinstatement of operating
9 privilege or vehicle registration), except that the
10 suspension may be reimposed by the department if the
11 defendant fails to make regular installment payments.

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

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

24 (9) Nothing in this section shall be construed to limit
25 the liability of the operator of a vehicle for a violation of
26 this section or of the rules or regulations of the
27 commission.

28 (c) Placement of electronic toll collection device.--An
29 electronic toll collection device which is affixed to the front
30 windshield of a vehicle in accordance with the rules or

1 regulations of the commission shall not be deemed to constitute
2 a violation of 75 Pa.C.S. § 4524 (relating to windshield
3 obstructions and wipers).

4 (d) Privacy of electronic toll collection account holder
5 information.--

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

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

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

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

1 (i) Preclude a court of competent jurisdiction from
2 issuing an order directing that the information be
3 provided to law enforcement officials if the information
4 is reasonably described and is requested solely in
5 connection with a criminal law enforcement action.

6 (ii) Preclude the exchange of the information
7 between any entities with jurisdiction over or which
8 operate an electronic toll collection system in this
9 Commonwealth or any other jurisdiction.

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

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

23 (1) Sections 201, 202 and 203 of the act of July 31,
24 1968 (P.L.769, No.240), referred to as the Commonwealth
25 Documents Law.

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

28 (e) [Definition.--As used in this section, the term "owner"
29 means any person, corporation, firm, partnership, agency,
30 association, organization or lessor that, at the time a vehicle

1 is operated in violation of this section or regulations of the
2 commission:

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

4 (2) has title to the vehicle; or

5 (3) is the registrant or coregistrant of the vehicle
6 registered with the department or a comparable agency of
7 another jurisdiction or uses the vehicle in its vehicle
8 renting or leasing business. The term includes a person
9 entitled to the use and possession of a vehicle subject to a
10 security interest in another person.] Definitions.--As used

11 in this section, the following words and phrases shall have
12 the meanings given to them in this subsection unless the
13 context clearly indicates otherwise:

14 "Owner." As follows:

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

20 (i) Is the beneficial or equitable owner of the
21 vehicle.

22 (ii) Has title to the vehicle.

23 (iii) Is the registrant or coregistrant of the
24 vehicle registered with the department or a comparable
25 agency of another jurisdiction or uses the vehicle in its
26 vehicle renting or leasing business.

27 (2) The term includes a person entitled to the use and
28 possession of a vehicle subject to a security interest in
29 another person.

30 "Statutory owner." The term shall have the same meaning as

1 given to the term "owner" in 75 Pa.C.S. § 102 (relating to
2 definitions).

3 § 9110. Public-private transportation partnership agreement.

4 * * *

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

14 * * *

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

24 * * *

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

26 CHAPTER 92

27 TRAFFIC SIGNALS

28 Sec.

29 9201. Definitions.

30 9202. Maintenance agreement.

1 § 9201. Definitions.

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

5 "Department." The Department of Transportation of the
6 Commonwealth.

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

8 "Maintenance." The activity of keeping a traffic signal in
9 proper working condition during the useful life of the traffic
10 signal.

11 "Replace." The modernization of an existing traffic signal
12 within a designated traffic corridor.

13 "Synchronize." The coordination of all traffic signals
14 within a designated traffic corridor for the purpose of
15 operating as a single system.

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

18 § 9202. Maintenance agreement.

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

28 (b) Intergovernmental cooperation.--Two or more
29 municipalities may enter into an agreement with the department
30 if a designated corridor is located in two or more

1 municipalities.

2 (c) Maintenance.--If the department determines that one or
3 more traffic signals located in a traffic corridor is not being
4 maintained or timed in accordance with an agreement under
5 subsection (a), the department shall provide written notice to
6 all municipalities subject to the agreement no less than 60 days
7 prior to taking any action to correct the improper maintenance
8 and timing. The written notice shall specify the maintenance and
9 timing deficiencies that are to be corrected.

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

15 (2) The requirement that the municipality correct the
16 deficiencies within 60 days of receipt of the written notice
17 shall be temporarily stayed.

18 (3) A municipality that contests the deficiencies
19 specified in the written notice shall have 30 days to enter
20 into an agreement with the department related to the
21 deficiencies specified in the written notice.

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

29 (d) Failure of municipality to perform.--If a municipality
30 that has entered into an agreement with the department under

1 subsection (a) fails to meet the requirements of subsection (c)
2 (1) or (2), the department may take action to correct the
3 deficiencies specified in the notice under subsection (c).

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

13 CHAPTER 93

14 BRIDGE BUNDLING PROGRAM

15 Sec.

16 9301. Definitions.

17 9302. Bundling authorization.

18 9303. Bridge Bundling Program.

19 9304. Grant limitation exceptions.

20 § 9301. Definitions.

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

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

27 "Department." The Department of Transportation of the
28 Commonwealth.

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

1 "Local government." A county, city, borough, town or
2 township.

3 "Program." The Bridge Bundling Program.

4 § 9302. Bundling authorization.

5 Notwithstanding any other law, the department is authorized
6 to bundle the design and construction of highway bridges owned
7 by the Commonwealth or local governments as provided under this
8 chapter.

9 § 9303. Bridge Bundling Program.

10 (a) Establishment.--The Bridge Bundling Program is
11 established within the department.

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

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

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

19 (2) Are of similar size or design.

20 (3) Inclusion in the program will meet the purpose of
21 the program.

22 (d) Implementation.--The department shall implement the
23 program as follows:

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

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

29 (3) Following receipt of notification from the
30 department, the governing body of a local government shall

1 have 60 days to agree or refuse participation in the program.
2 Failure to respond in writing within 60 days shall be
3 considered a refusal to participate in the program.

4 (4) Based on the response from local governments under
5 paragraph (3), the department shall make a final
6 determination of bridges to be designed and constructed under
7 the program and provide a list to the appropriate planning
8 organizations for inclusion in lists of funded projects.

9 (4.1) A determination shall not be:

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

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

15 (5) The following shall apply:

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

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

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

29 (6) Upon full execution of an agreement under the
30 program, the department shall manage the project design and

1 construction in a manner consistent with the purpose of the
2 program.

3 (f) Itemization.--Notwithstanding any other law, bridges
4 determined to be eligible and recommended for the program by the
5 department shall not require specific itemization in a capital
6 budget.

7 § 9304. Grant limitation exceptions.

8 (a) Exceptions.--Notwithstanding section 2(c) of the bridge
9 budget act, a local government shall not be required to pay any
10 local share of the costs associated with the design and
11 construction of the bridge.

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

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

20 § 1307. Period of registration.

21 (a) Staggered renewal system to be established.--The
22 department shall establish a system of staggered registration
23 renewal in a manner that an approximately equal number of
24 registrations will expire every month throughout [the year] a
25 two-year period. In order to implement and maintain the
26 staggered registration system, the department may prorate annual
27 registration fees over registration periods of from [6 to] 18 to
28 30 months.

29 (a.1) Seasonal registration.--Upon application on a form
30 prescribed by the department, the owner or lessee of a passenger

1 car, recreational motor vehicle, motorcycle, truck or farm
2 vehicle which does not have a gross vehicle weight rating of
3 more than 10,000 pounds may register the vehicle with the
4 department for a period of successive months of less than [one
5 year] two years. The applicant shall specify the period of
6 months during which the vehicle shall be registered. Except when
7 the department initially converts a currently valid [annual]
8 registration to a seasonal registration, the [annual] fee
9 prescribed for the vehicle by Chapter 19 (relating to fees)
10 shall be paid in full by the applicant regardless of the number
11 of months chosen for registration by the applicant. Upon receipt
12 of the appropriate fee and the properly completed form,
13 including all information required by this chapter, the
14 department shall issue a seasonal registration that shall expire
15 on the last day of the expiration month chosen by the
16 registrant. No insurer of a vehicle belonging to any owner or
17 lessee who obtains a seasonal registration and who applies for
18 or receives a reduced automobile insurance premium on account
19 thereof shall be required to provide any contractual coverage,
20 whether in the form of the provision of a defense or the payment
21 of first-party or third-party benefits or otherwise, to the
22 owner or lessee in connection with any event occurring during
23 that part of the [year] registration period in which the vehicle
24 is not registered; and such owner or lessee shall be treated for
25 all purposes, including, without limitation, ascertaining rights
26 to stack coverages and to uninsured and underinsured motorist
27 coverage, as a person who does not own that vehicle and has no
28 duty to carry financial responsibility on it for that part of
29 the [year] registration period.

30 (b) New registration.--A new registration is effective on

1 the date of issuance of a registration card by the department or
2 the date of issuance of a temporary registration card by an
3 authorized agent of the department under section 1310 (relating
4 to temporary registration cards). Except as otherwise provided
5 under this chapter, a new registration shall expire two years
6 after the last day of the month preceding either the date of
7 issuance of a registration card by the department or the date of
8 issuance of a temporary registration card by either the
9 department or an authorized agent of the department, whichever
10 occurs first.

11 (c) Renewal of registration.--A renewed registration shall
12 be effective on issuance by the department of a renewed
13 registration card. Except as otherwise provided under this
14 chapter, a renewed registration shall expire as follows:

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

19 (2) If a registration is renewed after two months have
20 elapsed since expiration, the renewed registration shall
21 expire two years after the last day of the month preceding
22 the date of issuance of the renewed registration.

23 * * *

24 (g) International Registration Plan.--Vehicles registered
25 under the International Registration Plan shall be subject to
26 annual registration renewal.

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

28 § 1353. Preserve our heritage registration plate.

29 The department, in consultation with the Pennsylvania
30 Historical and Museum Commission, shall design a special

1 preserve our heritage registration plate. Upon receipt of an
2 application, accompanied by a fee of [\$35] \$54 which shall be in
3 addition to the annual registration fee, the department shall
4 issue the plate for a passenger car, motor home, trailer or
5 truck with a registered gross weight of not more than 10,000
6 pounds. The Historical Preservation Fund shall receive \$15 of
7 each additional fee for this plate.

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

9 [§ 1354. Flagship Niagara commemorative registration plate.

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

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

23 (1) To preserve, maintain and operate the Flagship
24 Niagara.

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

28 Section 16. Sections 1355 and 1358 of Title 75 are amended
29 to read:

30 § 1355. Zoological plate.

1 The department, in consultation with the Pennsylvania
2 Zoological Council, shall design a special zoological
3 registration plate. Upon application of any person, accompanied
4 by a fee of [\$35] \$54 which shall be in addition to the annual
5 registration fee, the department shall issue the plate for a
6 passenger car, motor home, trailer or truck with a registered
7 gross weight of not more than 10,000 pounds. The Zoological
8 Enhancement Fund shall receive \$15 of the fee paid by the
9 applicant for the plate.

10 § 1358. DARE plate.

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

21 Section 16.1. Title 75 is amended by adding a section to
22 read:

23 § 1380. Suspension of registration upon unpaid tolls.

24 (a) Suspension of registration.--

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

28 (i) failed to pay or defaulted in the payment of six
29 or more violations issued pursuant to 74 Pa.C.S. §
30 8117(a)(1) (relating to electronic toll collection) or

1 other laws, regulations, ordinances or other standards
2 applicable to the toll collection or payment requirements
3 for a tolling entity; or

4 (ii) incurred unpaid tolls or administrative fees or
5 costs that collectively total a minimum of \$500,
6 regardless of the number of violations.

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

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

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

30 (d) Period of suspension.--A suspension under subsection (a)

1 shall continue until the department receives notice from the
2 tolling entity that the violations are paid, dismissed, reversed
3 on appeal or canceled or the owner or registrant enters into an
4 agreement with the tolling entity to make installment payments
5 for tolls, administrative fees and costs imposed and pays the
6 fee prescribed in section 1960 (relating to reinstatement of
7 operating privilege or vehicle registration), provided that the
8 suspension may be reimposed by the department if the owner or
9 registrant fails to make regular installment payments.

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

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

29 (g) Documentation.--In any proceeding under this section,
30 documents obtained by the department from a tolling entity or

1 from the appropriate agency of the Commonwealth or another state
2 shall be admissible into evidence to support the department's
3 case. In addition, the department may treat the documents and
4 reports as documents of the department and use any of the
5 methods of storage permitted under the provisions of 42 Pa.C.S.
6 § 6109 (relating to photographic copies of business and public
7 records) and may reproduce the documents in accordance with the
8 provisions of 42 Pa.C.S. § 6103 (relating to proof of official
9 records). The department may certify that it has received or
10 obtained documents and reports from a tolling entity, the
11 Commonwealth or other states, and the certification shall be
12 prima facie proof of the facts contained in the documents and
13 reports.

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

18 (i) Collection of out-of-State tolls.--The department or a
19 tolling agency may collect the civil penalties and tolls imposed
20 by an out-of-State tolling entity if the department or tolling
21 entity has entered into a reciprocity agreement that confirms
22 all of the following:

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

29 (2) The penalties, exclusive of tolls, claimed by the
30 other state or tolling entity against an owner of a motor

1 vehicle registered in Pennsylvania do not exceed \$100 for a
2 first violation or \$600 for all pending violations.

3 (3) The other state or tolling entity provides due
4 process and appeal protections to avoid the likelihood that a
5 false, mistaken or unjustified claim will be pursued against
6 an owner.

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

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

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

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

28 § 1514. Expiration and renewal of drivers' licenses.

29 (a) General rule.--Every driver's license shall expire on
30 the day after the licensee's birthdate at intervals of not more

1 than [four] six years as may be determined by the department.
2 Every license shall be renewable on or before its expiration
3 upon application, payment of the required fee, and satisfactory
4 completion of any examination required or authorized by this
5 chapter.

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

11 (a.2) Staggered renewals.--The department shall establish a
12 system of staggered driver's license renewal in a manner that an
13 approximately equal number of driver's licenses will expire
14 annually throughout an A six-year period. In order to implement <--
15 and maintain the staggered driver's license renewal system, the
16 department may issue driver's licenses for periods of 37 to 72
17 months. The department shall pro rate the fees imposed under
18 Chapter 19 (relating to fees) as appropriate.

19 * * *

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

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

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

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

4 (4) If a person has been granted permanent legal status
5 in the United States by the INS, the department may in its
6 discretion require the person to present his INS credentials
7 or documents for only the first license application or
8 renewal.

9 (5) License renewals issued under this subsection shall
10 be for the length of time as set forth in paragraph (1) or
11 (2).

12 Section 18. Sections 1553(c), 1554(c), 1617, 1786(d), 1904,
13 1911, 1912, 1913, 1914, 1915, 1916(a), 1917, 1918, 1920, 1921,
14 1922 and 1923 of Title 75 are amended to read:

15 § 1553. Occupational limited license.

16 * * *

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

20 * * *

21 § 1554. Probationary license.

22 * * *

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

29 * * *

30 § 1617. Fees.

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

(1) The annual fee for a commercial driver's license designation shall be [\$10] \$20.

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

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

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

§ 1786. Required financial responsibility.

* * *

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

(1) The Department of Transportation shall suspend the registration of a vehicle for a period of three months if it determines the required financial responsibility was not secured as required by this chapter and shall suspend the

1 operating privilege of the owner or registrant for a period
2 of three months if the department determines that the owner
3 or registrant has operated or permitted the operation of the
4 vehicle without the required financial responsibility. The
5 operating privilege shall not be restored until the
6 restoration fee for operating privilege provided by section
7 1960 (relating to reinstatement of operating privilege or
8 vehicle registration) is paid.

9 (1.1) In lieu of serving a registration suspension
10 imposed under this section, an owner or registrant may pay to
11 the department a civil penalty of \$500, the restoration fee
12 prescribed under section 1960 and furnish proof of financial
13 responsibility in a manner determined by the department.

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

24 (i) The owner or registrant proves to the
25 satisfaction of the department that the lapse in
26 financial responsibility coverage was for a period of
27 less than 31 days and that the owner or registrant did
28 not operate or permit the operation of the vehicle during
29 the period of lapse in financial responsibility.

30 (ii) The owner or registrant is a member of the

1 armed services of the United States, the owner or
2 registrant has previously had the financial
3 responsibility required by this chapter, financial
4 responsibility had lapsed while the owner or registrant
5 was on temporary, emergency duty and the vehicle was not
6 operated during the period of lapse in financial
7 responsibility. The exemption granted by this paragraph
8 shall continue for 30 days after the owner or registrant
9 returns from duty as long as the vehicle is not operated
10 until the required financial responsibility has been
11 established.

12 (iii) The insurance coverage has terminated or
13 financial responsibility has lapsed simultaneously with
14 or subsequent to expiration of a seasonal registration,
15 as provided in section 1307(a.1) (relating to period of
16 registration).

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

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

29 (ii) there has been either notice to the department
30 of a lapse, termination or cancellation in the financial

1 responsibility coverage as required by law for that
2 vehicle or that the owner, registrant or driver was
3 requested to provide proof of financial responsibility to
4 the department, a police officer or another driver and
5 failed to do so. Notice to the department of the lapse,
6 termination or cancellation or the failure to provide the
7 requested proof of financial responsibility shall create
8 a presumption that the vehicle lacked the requisite
9 financial responsibility. This presumption may be
10 overcome by producing clear and convincing evidence that
11 the vehicle was insured at all relevant times.

12 (4) Where an owner or registrant's operating privilege
13 has been suspended under this subsection, the owner or
14 registrant shall have the same right of appeal under section
15 1550 (relating to judicial review) as provided for in cases
16 of suspension for other reason. The court's scope of review
17 in an appeal from an operating privilege suspension shall be
18 limited to determining whether:

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

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

1 the vehicle was insured at the time that it was driven.

2 (5) An alleged lapse, cancellation or termination of a
3 policy of insurance by an insurer may only be challenged by
4 requesting review by the Insurance Commissioner pursuant to
5 Article XX of the act of May 17, 1921 (P.L.682, No.284),
6 known as The Insurance Company Law of 1921. Proof that a
7 timely request has been made to the Insurance Commissioner
8 for such a review shall act as a supersedeas, staying the
9 suspension of registration or operating privilege under this
10 section pending a determination pursuant to section 2009(a)
11 of The Insurance Company Law of 1921 or, in the event that
12 further review at a hearing is requested by either party, a
13 final order pursuant to section 2009(i) of The Insurance
14 Company Law of 1921.

15 * * *

16 § 1904. Collection and disposition of fees and moneys.

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

23 (b) Disposition.--Fees collected under sections 1951(c)
24 (relating to driver's license and learner's permit), 1952
25 (relating to certificate of title), 1953 (relating to security
26 interest), 1955 (relating to information concerning drivers and
27 vehicles), 1956 (relating to certified copies of records) and
28 1958 (relating to certificate of inspection) shall be
29 transmitted to the State Treasurer for deposit in the following
30 funds:

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

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

7 (3) For fiscal year 2017-2018 and each fiscal year
8 thereafter: 77% to the Public Transportation Trust Fund and
9 23% to the Multimodal Fund.

10 (c) Automatic three-year adjustment.--

11 (1) Except as provided under paragraph (2), for the 36-
12 month period beginning July 1, 2016, through June 30, 2019,
13 and for each like 36-month period thereafter, all fees
14 charged under this title shall be increased by an amount
15 calculated by applying the percentage change in the Consumer
16 Price Index for All Urban Consumers (CPI-U) for the most
17 recent 36-month period, calculated from March 1 through
18 February 28, beginning on the date the fees charged under
19 this title were last increased and for which figures have
20 been officially reported by the United States Department of
21 Labor, Bureau of Labor Statistics, immediately prior to the
22 date the adjustment is due to take effect, to the then
23 current fee amounts authorized.

24 (2) Fees charged under section 1916 (relating to trucks
25 and truck tractors) shall be increased on July 1, 2017, for
26 the period beginning on July 1, 2017, through June 30, 2020,
27 and for each like 36-month period thereafter in the same
28 manner and with the same requirements prescribed under
29 paragraph (1).

30 § 1911. Annual registration fees.

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

5 (b) Department to establish certain fees.--If a vehicle to
6 be registered is of a type not specifically provided for by this
7 title and is otherwise eligible for registration, the department
8 shall determine the most appropriate fee or fee schedule for the
9 vehicle or type of vehicle based on such factors as design and
10 intended use.

11 § 1912. Passenger cars.

12 The annual fee for registration of a passenger car shall be
13 [~~\$36~~] \$52.

14 § 1913. Motor homes.

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

	Registered Gross		
	Class	Weight in Pounds	Fee
18			
19			
20	1	8,000 or less	[\$45] <u>\$65</u>
21	2	8,001 - 11,000	[63] <u>90</u>
22	3	11,001 or more	[81] <u>116</u>

23 § 1914. Motorcycles.

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

26 § 1915. Motor-driven cycles.

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

29 § 1916. Trucks and truck tractors.

30 (a) General rule.--

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

[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

1	23	78,001 - 78,500	1,651.50
2	24	78,501 - 79,000	1,669.50
3	25	79,001 - 80,000	1,687.50]
4	<u>Registered</u>		<u>Fees</u>
5	<u>Gross or</u>	<u>Fiscal</u>	<u>Fiscal</u>
6	<u>Combination</u>	<u>year</u>	<u>year</u>
7	<u>Weight in</u>	<u>2013-2014</u>	<u>2014-2015</u>
8	Class	<u>Pounds</u>	<u>2015-2016</u>
9	<u>1</u>	<u>5,000 or</u>	<u>\$63</u>
10		<u>less</u>	<u>\$68</u>
11	<u>2</u>	<u>5,001 -</u>	<u>\$73</u>
12		<u>7,000</u>	<u>\$78</u>
13	<u>3</u>	<u>7,001 -</u>	<u>88</u>
14		<u>9,000</u>	<u>94</u>
15	<u>4A</u>	<u>9,001 -</u>	<u>101</u>
16		<u>10,000</u>	<u>108</u>
17	<u>4B</u>	<u>10,001 -</u>	<u>166</u>
18		<u>11,000</u>	<u>178</u>
19	<u>5</u>	<u>11,001 -</u>	<u>191</u>
20		<u>14,000</u>	<u>203</u>
21	<u>6</u>	<u>14,001 -</u>	<u>214</u>
22		<u>17,000</u>	<u>231</u>
23	<u>7</u>	<u>17,001 -</u>	<u>247</u>
24		<u>21,000</u>	<u>263</u>
25	<u>8</u>	<u>21,001 -</u>	<u>263</u>
26		<u>26,000</u>	<u>283</u>
27	<u>9</u>	<u>26,001 -</u>	<u>303</u>
28		<u>30,000</u>	<u>323</u>
29	<u>10</u>	<u>30,001 -</u>	<u>336</u>
30		<u>33,000</u>	<u>359</u>

1	<u>11</u>	<u>33,001 -</u>	<u>672</u>	<u>723</u>	<u>775</u>	<u>826</u>
2		<u>36,000</u>				
3	<u>12</u>	<u>36,001 -</u>	<u>711</u>	<u>765</u>	<u>820</u>	<u>874</u>
4		<u>40,000</u>				
5	<u>13</u>	<u>40,001 -</u>	<u>755</u>	<u>813</u>	<u>870</u>	<u>928</u>
6		<u>44,000</u>				
7	<u>14</u>	<u>44,001 -</u>	<u>813</u>	<u>875</u>	<u>937</u>	<u>999</u>
8		<u>48,000</u>				
9	<u>15</u>	<u>48,001 -</u>	<u>896</u>	<u>965</u>	<u>1,033</u>	<u>1,101</u>
10		<u>52,000</u>				
11	<u>16</u>	<u>52,001 -</u>	<u>955</u>	<u>1,028</u>	<u>1,100</u>	<u>1,173</u>
12		<u>56,000</u>				
13	<u>17</u>	<u>56,001 -</u>	<u>1,081</u>	<u>1,164</u>	<u>1,246</u>	<u>1,329</u>
14		<u>60,000</u>				
15	<u>18</u>	<u>60,001 -</u>	<u>1,203</u>	<u>1,295</u>	<u>1,387</u>	<u>1,487</u>
16		<u>64,000</u>				
17	<u>19</u>	<u>64,001 -</u>	<u>1,262</u>	<u>1,358</u>	<u>1,454</u>	<u>1,550</u>
18		<u>68,000</u>				
19	<u>20</u>	<u>68,001 -</u>	<u>1,354</u>	<u>1,457</u>	<u>1,561</u>	<u>1,664</u>
20		<u>73,280</u>				
21	<u>21</u>	<u>73,281 -</u>	<u>1,729</u>	<u>1,861</u>	<u>1,993</u>	<u>2,125</u>
22		<u>76,000</u>				
23	<u>22</u>	<u>76,001 -</u>	<u>1,768</u>	<u>1,903</u>	<u>2,038</u>	<u>2,173</u>
24		<u>78,000</u>				
25	<u>23</u>	<u>78,001 -</u>	<u>1,788</u>	<u>1,924</u>	<u>2,060</u>	<u>2,196</u>
26		<u>78,500</u>				
27	<u>24</u>	<u>78,501 -</u>	<u>1,807</u>	<u>1,945</u>	<u>2,083</u>	<u>2,220</u>
28		<u>79,000</u>				
29	<u>25</u>	<u>79,001 -</u>	<u>1,827</u>	<u>1,966</u>	<u>2,105</u>	<u>2,244</u>
30		<u>80,000</u>				

(2) A portion of the registration fee for any truck or truck tractor in Classes 9 through 25 shall be deposited in the Highway Bridge Improvement Restricted Account within the Motor License Fund according to the following table:

Classes	Amount Deposited in Highway Bridge Improvement Restricted Account
---------	---

9-12	\$ 72
13-17	108
18-20	144
21-25	180

* * *

§ 1917. Motor buses and limousines.

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

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

§ 1918. School buses and school vehicles.

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

§ 1920. Trailers.

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

Registered Gross Weight in Pounds	Fee
--------------------------------------	-----

1	3,000 or less	\$ [6] <u>23</u>
2	3,001 - 10,000	[12] <u>46</u>
3	10,001 or more	[27] <u>103</u>

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

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

12 § 1921. Special mobile equipment.

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

15 § 1922. Implements of husbandry.

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

19 § 1923. Antique, classic and collectible vehicles.

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

22 Section 19. Section 1924 of Title 75, amended October 24,
23 2012 (P.L.1407, No.174), is amended to read:

24 § 1924. Farm vehicles.

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

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

1 issued and the gross weight or combination weight or weight
2 rating according to the following table:

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

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

12 § 1925. Ambulances, taxis and hearses.

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

15 § 1926. Dealers and miscellaneous motor vehicle business.

16 (a) General rule.--The annual fee for a dealer registration
17 plate or miscellaneous motor vehicle business plate shall be
18 [~~\$36~~] \$52.

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

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

25 * * *

26 § 1926.1. Farm equipment vehicle dealers.

27 The annual fee for registration of a farm equipment dealer
28 truck or truck tractor shall be one-half of the regular fee or
29 [~~\$243~~] \$349, whichever is greater.

30 § 1927. Transfer of registration.

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

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

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

10 § 1929. Replacement registration plates.

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

13 § 1930. Legislative registration plates.

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

19 § 1931. Personal registration plates.

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

24 § 1931.1. Street rod registration plates.

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

30 § 1932. Duplicate registration cards.

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

6 § 1933. Commercial implements of husbandry.

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

10 § 1942. Special hauling permits as to weight and size.

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

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

16 (2) Oversize vehicle or load, or both, having a width
17 exceeding 14 feet and not exceeding any legal weight limit,
18 [\$50] \$71.

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

22 * * *

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

25 § 1943. Annual hauling permits.

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

30 (c) Course of manufacture.--The annual fee for operation or

1 movement of loads or vehicles, as provided for in section 4968
2 (relating to permit for movement during course of manufacture),
3 shall be as follows:

4 (1) Oversized movements:

5 (i) Movements limited to daylight hours only -
6 [\$100] \$130.

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

9 (2) Overweight movements:

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

12 (A) Not more than one mile in distance - [\$50]
13 \$69.

14 (B) More than one mile in distance - [\$400]
15 \$750.

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

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

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

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

(1) [\$100] \$155 for a motor carrier requesting permits for up to 15 truck tractors.

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

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

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

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

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

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

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

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

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

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

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

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

14 (1) [\$800] \$1,130 for a distance up to 50 miles.

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

17 (n) Waste coal and beneficial combustion ash.--The annual
18 fee for the movement of waste coal and beneficial combustion
19 ash, as provided for in section 4979.2 (relating to permit for
20 movement of waste coal and beneficial combustion ash), shall be
21 [\$400] \$565.

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

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

1 (1) Cranes not exceeding 100,000 pounds gross weight,
2 prorated up to a maximum of [\$400] \$553.

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

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

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

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

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

20 Section 22. Sections 1944, 1945(b), 1947, 1951, 1952, 1953,
21 1955(a), 1956, 1957, 1958(a), 1959, 1960 and ~~2102(b) and (d)~~ <--
22 1961 of Title 75 are amended to read:

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

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

1 movement of a mobile home or a modular housing unit and modular
2 housing undercarriage), shall be [\$50] \$76.

3 § 1945. Books of permits.

4 * * *

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

8 § 1947. Refund of certain fees.

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

12 § 1951. Driver's license and learner's permit.

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

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

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

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

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

29 § 1952. Certificate of title.

30 (a) General rule.--The fee for issuance of a certificate of

1 title shall be [\$22.50] \$33.

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

7 § 1953. Security interest.

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

10 § 1955. Information concerning drivers and vehicles.

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

15 * * *

16 § 1956. Certified copies of records.

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

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

27 § 1957. Uncollectible checks.

28 Whenever any check issued in payment of any fee or for any
29 other purpose is returned to the department as uncollectible,
30 the department or municipality shall charge a fee of [\$10] \$38

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

7 § 1958. Certificate of inspection.

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

12 § 1959. Messenger service.

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

16 (b) Additional places of business.--The annual fee for
17 registration of additional place of business or branch office
18 from which a messenger service may transact business shall be
19 [\$25] \$95.

20 (c) Transfer of location.--The fee for the transfer of
21 location of a registered place of business or branch office of a
22 messenger service during a period of registration shall be [\$5]
23 \$19.

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

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

1 registration of a vehicle following a suspension or revocation.

2 § 1961. Secure power of attorney.

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

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

8 * * *

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

11 * * *

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

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

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

29 (i) enforcement of this section for that period
30 would cause undue delay and hardship in the operation of

1 such qualified motor vehicle; and

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

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

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

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

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

1 permit has been issued under this subsection.

2 * * *

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

5 § 3111. Obedience to traffic-control devices.

6 * * *

7 (a.1) Penalty.--

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

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

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

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

19 * * *

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

22 § 6110. Regulation of traffic on Pennsylvania Turnpike.

23 * * *

24 (b) Penalties.--

25 (1) Except as otherwise provided in this subsection, any
26 person violating any of the rules and regulations of the
27 Pennsylvania Turnpike Commission for which no penalty has
28 otherwise been provided by statute commits a summary offense
29 and shall, upon conviction, be sentenced to pay a fine of
30 \$25.

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

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

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

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

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

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

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

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

1 (C) Installation of a mechanical apparatus upon
2 the vehicle that serves the sole purpose of masking,
3 hiding or manipulating the true weight of the vehicle
4 as it appears to a mechanical scale.

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

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

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

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

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

23 § 6506. Surcharge.

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

28 * * *

29 (10) ~~In~~ NOTWITHSTANDING 42 PA.C.S. § 3733(A) (RELATING <--
30 TO DEPOSITS INTO ACCOUNT), IN addition to any other surcharge

1 imposed under this section, upon conviction for a violation
2 of Chapter 11 (relating to certificate of title and security
3 interests), 13 (relating to registration of vehicles), 15
4 (relating to licensing of drivers), 16 (relating to
5 commercial drivers), 17 (relating to financial
6 responsibility), 19 (relating to fees), 21 (relating to motor
7 carriers road tax identification markers), 31 (relating to
8 general provisions), 33 (relating to rules of the road in
9 general), 35 (relating to special vehicles and pedestrians),
10 37 (relating to miscellaneous provisions), 38 (relating to
11 driving after imbibing alcohol or utilizing drugs), 41
12 (relating to equipment standards), 43 (relating to lighting
13 equipment), 45 (relating to other required equipment), 47
14 (relating to inspection of vehicles), 49 (relating to size,
15 weight and load), 61 (relating to powers of department and
16 local authorities), 63 (relating to enforcement), 65
17 (relating to penalties and disposition of fines), 71
18 (relating to vehicle theft and related provisions), 73
19 (relating to abandoned vehicles and cargos), 75 (relating to
20 messenger service), 77 (relating to snowmobiles and all-
21 terrain vehicles), 83 (relating to hazardous materials
22 transportation), 90 (relating to liquid fuels and fuels tax),
23 94 (relating to liquid fuels and fuel use tax enforcement) or
24 96 (relating to motor carriers road tax), a surcharge of
25 \$100.

26 * * *

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

30 Section 25. Section 7715.2(a) of Title 75 is amended to

1 read:

2 § 7715.2. Fees.

3 (a) Fees.--Except as provided in subsection (b), the
4 department shall collect the following fees:

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

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

7 (2.1) Vintage snowmobile permit, \$20.

8 (3) Dealer registration, \$25.

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

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

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

17 * * *

18 Section 26. The definition of "annual additional payments,"
19 "annual base payments" and "scheduled annual commission
20 contributions" in section 8901 of Title 75 are amended to read:
21 § 8901. Definitions.

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

25 "Annual additional payments." As follows:

26 (1) During the conversion period and after the
27 conversion date, an amount equal to the scheduled annual
28 commission contribution, minus the sum of:

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

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

(2) If the conversion period has expired and a conversion notice has not been received by the secretary, in each subsequent fiscal year [until the end of the term of the lease agreement] through fiscal year 2020-2021, the annual additional payments shall be \$250,000,000. No annual additional payments shall be due after fiscal year 2020-2021.

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

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

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

* * *

"Scheduled annual commission contribution." The following amounts:

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

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

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

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

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

§ 8915.6. Deposit and distribution of funds.

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

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

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

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

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

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

(5) IF, BY JULY 1, 2021, LEGISLATION IS NOT ENACTED TO <--
REPLACE THE REVENUE DISTRIBUTED FROM THE FUND UNDER
SUBSECTION (B) (2) AND (3), IN FISCAL YEAR 2021-2022 AND IN
EACH FISCAL YEAR THEREAFTER, THE FOLLOWING SHALL APPLY:

(I) AN AMOUNT EQUAL TO THAT REVENUE SHALL BE
DEPOSITED IN THE FUND.

(II) NOTWITHSTANDING ANY OTHER PROVISION OF LAW,
THE SOURCE OF THE REVENUE DEPOSITED IN THE FUND UNDER
THIS PARAGRAPH SHALL BE THE RECEIPTS FROM THE TAX
COLLECTED UNDER SECTION 238 OF THE ACT OF MARCH 4, 1971
(P.L.6, NO.2), KNOWN AS THE TAX REFORM CODE OF 1971, ON
MOTOR VEHICLES, TRAILERS AND SEMI-TRAILERS.

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

[(1) Annually, 15% of the amount deposited in any fiscal

year under subsection (a) shall be distributed at the discretion of the secretary.]

* * *

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

§ 9002. Definitions.

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

* * *

"Average wholesale price." The average wholesale price per gallon of all taxable liquid fuels and fuels, excluding the Federal excise tax and all liquid fuels taxes, as determined by the Department of Revenue for the 12-month period ending on the September 30 immediately prior to January 1 of the year for which the rate is to be set[. In] except as follows:

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

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

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

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

* * *

Section 29. Sections 9004(a), 9106(b), ~~9502(a) and 9511(b)~~ <--

1 ~~and (g)~~ AND 9502(A) of Title 75 are amended to read:

2 § 9004. Imposition of tax, exemptions and deductions.

3 (a) Liquid fuels and fuels tax.--A [permanent State tax of
4 12¢ a gallon or fractional part thereof] State tax is imposed
5 and assessed upon all liquid fuels and fuels used or sold and
6 delivered by distributors within this Commonwealth[.] as
7 follows:

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

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

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

14 * * *

15 § 9106. Dirt and gravel road maintenance.

16 * * *

17 (b) General rule.--Of the funds available under section
18 9502(a)(1) (relating to imposition of tax), [\$1,000,000]

19 ~~\$3,000,000~~ \$7,000,000 shall be annually distributed to the <--

20 Department of Conservation and Natural Resources for the
21 maintenance and mitigation of dust and sediment pollution from

22 forestry roads. Funds in the amount of [\$4,000,000] ~~\$12,000,000~~ <--

23 \$28,000,000 shall be appropriated annually to the State

24 Conservation Commission and administered in a nonlapsing,

25 nontransferable account restricted to maintenance and

26 improvement of dirt and gravel roads. The State Conservation

27 Commission shall apportion the funds based on written criteria

28 it develops to establish priorities based on preventing dust and

29 sediment pollution. In the first fiscal year, top priority shall

30 be given to specific trouble spot locations already mapped by

1 the Task Force on Dirt and Gravel Roads and available from the
2 department.

3 * * *

4 § 9502. Imposition of tax.

5 (a) General rule.--

6 (1) An "oil company franchise tax for highway
7 maintenance and construction" which shall be an excise tax of
8 60 mills is hereby imposed upon all liquid fuels and fuels as
9 defined and provided in Chapter 90 (relating to liquid fuels
10 and fuels tax), and such tax shall be collected as provided
11 in section 9004(b) (relating to imposition of tax, exemptions
12 and deductions). Of the amount collected in fiscal year 2015-
13 2016, and each fiscal year thereafter, \$20,000,000 AT THE <--
14 DISCRETION OF THE SECRETARY, A MINIMUM OF \$20,000,000 AND A
15 MAXIMUM OF \$35,000,000 shall be deposited in the Multimodal
16 Transportation Fund established under 74 Pa.C.S. § 2101
17 (relating to Multimodal Transportation Fund), to be expended
18 in accordance with section 11 of Article VIII of the
19 Constitution of Pennsylvania.

20 (2) An additional 55 mills is hereby imposed on all
21 liquid fuels and fuels as defined and provided in Chapter 90
22 and such tax shall also be collected as provided in section
23 9004(b), the proceeds of which shall be distributed as
24 follows:

25 (i) [Forty-two] Twenty-nine percent to county
26 maintenance districts for highway maintenance for fiscal
27 year 2013-2014 and 19% for fiscal year 2014-2015 and each
28 year thereafter. This allocation shall be made according
29 to the formula provided in section 9102(b) (2) (relating
30 to distribution of State highway maintenance funds). This

1 allocation shall be made in addition to and not a
2 replacement for amounts normally distributed to county
3 maintenance districts under section 9102.

4 (ii) [Seventeen] Thirty percent for highway capital
5 projects[.] for fiscal year 2013-2014 and 40% for fiscal
6 year 2014-2015 and each year thereafter.

7 (iii) Thirteen percent for bridges.

8 (iv) Two percent for bridges identified as county or
9 forestry bridges.

10 (v) Twelve percent for local roads pursuant to
11 section 9511(c) (relating to basic allocation to
12 municipalities).

13 (vi) Fourteen percent for toll roads designated
14 pursuant to the act of September 30, 1985 (P.L.240,
15 No.61), known as the Turnpike Organization, Extension and
16 Toll Road Conversion Act, to be appropriated under
17 section 9511(h).

18 (3) An additional 38.5 mills is hereby imposed upon all
19 liquid fuels and fuels as defined and provided in Chapter 90,
20 and such tax shall also be collected as provided in section
21 9004(b), the proceeds of which shall be deposited in The
22 Motor License Fund and distributed as follows:

23 (i) Twelve percent to municipalities on the basis of
24 and subject to the provisions of the act of June 1, 1956
25 (1955 P.L.1944, No.655), referred to as the Liquid Fuels
26 Tax Municipal Allocation Law, is appropriated.

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

29 (A) Forty-seven percent for distribution in
30 accordance with section 9102(b) (2) for fiscal year

1 1997-1998.

2 (B) Fifty-three percent for a Statewide highway
3 restoration, betterment and resurfacing program for
4 fiscal year 1997-1998.

5 (C) Fifty-seven percent for distribution in
6 accordance with section 9102(b) (2) for fiscal year
7 1998-1999.

8 (D) Forty-three percent for a Statewide highway
9 restoration, betterment and resurfacing program for
10 fiscal year 1998-1999.

11 (E) Sixty-seven percent for distribution in
12 accordance with section 9102(b) (2) for fiscal year
13 1999-2000.

14 (F) Thirty-three percent for a Statewide highway
15 restoration, betterment and resurfacing program for
16 fiscal year 1999-2000.

17 (G) Seventy-seven percent for distribution in
18 accordance with section 9201(b) (2) for fiscal year
19 2000-2001.

20 (H) Twenty-three percent for a Statewide highway
21 restoration, betterment and resurfacing program for
22 fiscal year 2000-2001.

23 (I) One hundred percent for distribution in
24 accordance with section 9102(b) (2) for fiscal year
25 2001-2002 and each year thereafter.

26 (J) For any fiscal year beginning with 1997-1998
27 through and including fiscal year 2000-2001, the
28 department shall make supplemental maintenance
29 program payments from the Statewide highway
30 restoration betterment program to those county

1 maintenance districts for which the total highway
2 maintenance appropriations and executive
3 authorizations in accordance with section 9102(b)
4 would be less than the amount received in 1996-1997
5 from the highway maintenance appropriation, the
6 Secondary Roads-Maintenance and Resurfacing Executive
7 Authorization, the Highway Maintenance Excise Tax
8 Executive Authorization and the Highway Maintenance
9 Supplemental Appropriation.

10 The words and phrases used in this paragraph shall have the
11 meanings given to them in section 9101 (relating to
12 definitions). This one-time allocation shall be made in
13 addition to and is not a replacement for amounts normally
14 distributed to county maintenance districts under section
15 9102.] Fifty-three percent to the department for distribution
16 in accordance with section 9102(b) (2) for fiscal year 2013-
17 2014 and 40% for fiscal year 2014-2015 and each fiscal year
18 thereafter.

19 (iii) Thirty-five percent to the department for
20 expanded highway and bridge maintenance for fiscal year
21 2013-2014 and 48% for fiscal year 2014-2015 and each
22 fiscal year thereafter to be distributed as follows:

23 (A) Annually, 15% of the amount deposited in a
24 fiscal year shall be distributed at the discretion of
25 the secretary.

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

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

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

7 SECTION 29.1. SECTION 9511(B) AND (G) OF TITLE 75 ARE <--
8 AMENDED AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO
9 READ:

10 § 9511. Allocation of proceeds.

11 * * *

12 (b) State Highway Transfer Restoration Restricted Account
13 and local bridges.--

14 (1) The amount of the proceeds deposited in the Motor
15 License Fund pursuant to this chapter which[, in fiscal year
16 1983-1984,] is attributable to [two] three mills of the tax
17 imposed under section 9502(a) (relating to imposition of tax)
18 [and which, in fiscal year 1984-1985 and thereafter, is
19 attributable to three mills of the tax,] shall be deposited
20 as follows:

21 (i) For fiscal years 2013-2014 through fiscal year
22 2016-2017, as follows:

23 (A) Twenty-seven million dollars shall be
24 deposited in the State Highway Transfer Restoration
25 Restricted Account within the Motor License Fund. The
26 funds deposited in the State Highway Transfer
27 Restoration Restricted Account shall be appropriated
28 annually for expenditure as provided under subsection
29 (g).

30 (B) All funds not deposited in accordance with

1 clause (A) shall be deposited in the Highway Bridge
2 Improvement Restricted Account within the Motor
3 License Fund for local bridges, notwithstanding if
4 the project is administered by a county, municipality
5 or the department.

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

8 (A) One and one-half mill shall be deposited in
9 the State Highway Transfer Restoration Restricted
10 Account within the Motor License Fund, which account
11 is hereby created. The funds deposited in the State
12 Highway Transfer Restoration Restricted Account are
13 hereby annually appropriated out of the account upon
14 authorization by the Governor for expenditure as
15 provided in subsection (g).

16 (B) One and one-half mill shall be deposited in
17 the Highway Bridge Improvement Restricted Account
18 within the Motor License Fund for local bridges,
19 notwithstanding if the project is administered by a
20 county, municipality or the department.

21 (2) If funds are available to make payments under
22 subsection (g)(1), the department may transfer funds
23 deposited under subparagraphs (i) and (ii) between the State
24 Highway Transfer Restoration Restricted Account and the
25 Highway Bridge Improvement Restricted Account at the
26 discretion of the secretary.

27 * * *

28 (g) Use of funds in the State Highway Transfer Restoration
29 Restricted Account.--The funds appropriated in subsection (b)
30 for deposit in the State Highway Transfer Restoration Restricted

1 Account shall be used to pay for the costs of restoration of
2 such highways as provided in Chapter 92 (relating to transfer of
3 State highways) and annual payments to the municipalities for
4 highway maintenance in accordance with the following:

5 (1) Annual maintenance payments shall be at the rate of
6 \$4,000 per mile for each highway or portion of highway
7 transferred under Chapter 92, section 222 of the act of June
8 1, 1945 (P.L.1242, No.428), known as the State Highway Law,
9 or any statute enacted in 1981.

10 (2) Annual maintenance payments shall be paid at the
11 same time as funds appropriated under the act of June 1, 1956
12 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax
13 Municipal Allocation Law, except that no maintenance payment
14 shall be paid for a highway until after the year following
15 its transfer to the municipality.

16 (3) Annual maintenance payments under this subsection
17 shall be in lieu of annual payments under the Liquid Fuels
18 Tax Municipal Allocation Law.

19 (4) Annual maintenance payments under this subsection
20 shall be deposited into the municipality's liquid fuels tax
21 account and may be used on any streets and highways in the
22 municipality in the same manner and subject to the same
23 restrictions as liquid fuels tax funds paid under the Liquid
24 Fuels Tax Municipal Allocation Law or, in the case of a
25 county, under section 10 of the act of May 21, 1931 (P.L.149,
26 No.105), known as The Liquid Fuels Tax Act.

27 * * *

28 (I) REFUND TO PENNSYLVANIA FISH AND BOAT COMMISSION.--

<--

29 (1) WHEN THE TAX IMPOSED BY THIS CHAPTER HAS BEEN PAID
30 AND THE FUEL ON WHICH THE TAX HAS BEEN IMPOSED HAS BEEN

1 CONSUMED IN THE OPERATION OF MOTORBOATS OR WATERCRAFT UPON
2 THE WATERS OF THIS COMMONWEALTH, INCLUDING WATERWAYS
3 BORDERING ON THIS COMMONWEALTH, THE FULL AMOUNT OF THE TAX
4 SHALL BE REFUNDED TO THE BOAT FUND ON PETITION TO THE BOARD
5 IN ACCORDANCE WITH PRESCRIBED PROCEDURES.

6 (2) IN ACCORDANCE WITH SUCH PROCEDURES, THE PENNSYLVANIA
7 FISH AND BOAT COMMISSION SHALL BIANNUALLY CALCULATE THE
8 AMOUNT OF LIQUID FUELS CONSUMED BY THE MOTORCRAFT AND FURNISH
9 THE INFORMATION RELATING TO ITS CALCULATIONS AND DATA AS
10 REQUIRED BY THE BOARD. THE BOARD SHALL REVIEW THE PETITION
11 AND MOTORBOAT FUEL CONSUMPTION CALCULATIONS OF THE
12 COMMISSION, DETERMINE THE AMOUNT OF LIQUID FUELS TAX PAID AND
13 CERTIFY TO THE STATE TREASURER TO REFUND ANNUALLY TO THE BOAT
14 FUND THE AMOUNT SO DETERMINED. THE DEPARTMENT SHALL BE
15 ACCORDED THE RIGHT TO APPEAR AT THE PROCEEDINGS AND MAKE ITS
16 VIEWS KNOWN.

17 (3) FOR THE FISCAL YEARS COMMENCING JULY 1, 2013, JULY
18 1, 2014, JULY 1, 2015, JULY 1, 2016, AND JULY 1, 2017, THE
19 MONEY UNDER PARAGRAPH (2) SHALL BE USED BY THE COMMISSION
20 ACTING BY ITSELF OR BY AGREEMENT WITH OTHER FEDERAL AND STATE
21 AGENCIES ONLY FOR THE IMPROVEMENT OF HAZARDOUS DAMS
22 IMPOUNDING WATERS OF THIS COMMONWEALTH ON WHICH BOATING IS
23 PERMITTED, INCLUDING THE DEVELOPMENT AND CONSTRUCTION OF
24 BOATING AREAS AND THE DREDGING AND CLEARING OF WATER AREAS
25 WHERE BOATS CAN BE USED. FOR THE FISCAL YEAR COMMENCING JULY
26 1, 2018, AND FOR EACH FISCAL YEAR THEREAFTER, THIS MONEY
27 SHALL BE USED BY THE COMMISSION ACTING BY ITSELF OR BY
28 AGREEMENT WITH OTHER FEDERAL AND STATE AGENCIES ONLY FOR THE
29 IMPROVEMENT OF THE WATERS OF THIS COMMONWEALTH ON WHICH
30 MOTORBOATS ARE PERMITTED TO OPERATE AND MAY BE USED FOR THE

1 DEVELOPMENT AND CONSTRUCTION OF MOTORBOAT AREAS; THE DREDGING
2 AND CLEARING OF WATER AREAS WHERE MOTORBOATS CAN BE USED; THE
3 PLACEMENT AND REPLACEMENT OF NAVIGATIONAL AIDS; THE PURCHASE,
4 DEVELOPMENT AND MAINTENANCE OF PUBLIC ACCESS SITES AND
5 FACILITIES TO AND ON WATERS WHERE MOTORBOATING IS PERMITTED;
6 THE PATROLLING OF MOTORBOATING WATERS; THE PUBLISHING OF
7 NAUTICAL CHARTS IN THOSE AREAS OF THIS COMMONWEALTH NOT
8 COVERED BY NAUTICAL CHARTS PUBLISHED BY THE UNITED STATES
9 COAST AND GEODETIC SURVEY OR THE UNITED STATES ARMY CORPS OF
10 ENGINEERS AND THE ADMINISTRATIVE EXPENSES ARISING OUT OF SUCH
11 ACTIVITIES; AND OTHER SIMILAR PURPOSES.

12 Section 30. The following shall apply:

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

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

27 (ii) Identification of specific legislative action
28 necessary to generate the sources of recurring revenue
29 identified under subparagraph (i).

30 (iii) A ranking in descending order of the sources

1 of revenue identified under subparagraph (i), based upon
2 the Joint State Government Commission's recommendation of
3 which revenue sources are most viable.

4 (2) Entities affected by this section shall provide data
5 to complete the report under paragraph (1). In its
6 recommendations, the Joint State Government Commission may
7 propose appropriate additional legislative changes to the
8 Governor and the General Assembly.

9 Section 31. This act shall take effect ~~in 60 days~~. AS

<--

10 FOLLOWS:

11 (1) THE ADDITION OF 74 PA.C.S. CH. 59 SUBCH. C SHALL
12 TAKE EFFECT IMMEDIATELY.

13 (2) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.

14 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 60
15 DAYS.