

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 10

PRINTER'S NO. 2430

AMOUNT

Minimal Fiscal Impact

FUND

General Fund - Restricted Account

DATE INTRODUCED

April 26, 2011

PRIME SPONSOR

Representative Turzai

HISTORY OF BILL

Referred to CONSUMER AFFAIRS, April 26, 2011

Reported as amended, May 24, 2011

First consideration, May 24, 2011

Laid on the table, May 24, 2011

Removed from table, May 25, 2011

Second consideration, June 6, 2011

Re-committed to APPROPRIATIONS, June 6, 2011

(Remarks see House Journal Page 1136-1137), June 6, 2011

Re-reported as committed, June 7, 2011

Third consideration and final passage, June 7, 2011 (116-81)

(Remarks see House Journal Page 1152-1161), June 7, 2011

In the Senate

Referred to CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, June 8, 2011

Reported as amended, Sept. 27, 2011

First consideration, Sept. 27, 2011

Re-referred to APPROPRIATIONS, Oct. 31, 2011

Re-reported as committed, May 22, 2012

DESCRIPTION AND PURPOSE OF BILL

House Bill 10 amends the Second Class County Port Authority Act (Act 465 of 1955) by eliminating the Port Authority of Allegheny County's exclusive right to control transit services in Allegheny County, which would allow private companies and other regional transit systems to deliver competing transportation services. The legislation also makes technical changes to update the act.

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House Bill 10 amends the Second Class County Port Authority Act ("act") by removing all provisions in the act that give the Port Authority of Allegheny County exclusive control over transportation services in a county of the second class. The legislation expands the jurisdiction of the Pennsylvania Public Utility Commission ("PUC") to include regulation of all transportation services in counties of the second class, with the exception of transportation services provided by or for the Port Authority created under the act. The PUC would have jurisdiction over any new entity which seeks to provide transportation services within a service area if such services would otherwise be subject to the jurisdiction of the PUC.

House Bill 10 requires the Port Authority of Allegheny County to file an annual report with select committees of the General Assembly detailing the following information:

- Budget of the authority
- Aggregate revenues of the authority
- Number of employees
- Status of any labor agreement or negotiations
- Annual aggregate revenues generated by transportation service provided by the authority
- Annual aggregate ridership
- Annual revenues of each transportation service provided by the authority
- Annual ridership of each transportation service provided by the authority
- Annual aggregate revenue generated by port activities provided by the authority
- Annual aggregate use of port activities provided by the authority

House Bill 10 was amended in the Senate Consumer Protection and Professional Licensure Committee to remove references to the airport and to clarify the existing rules regarding the use of eminent domain with respect to common carriers. The legislation expands current language to include common carriers that are subject to the jurisdiction of the PUC. No property owned or used by a common carrier subject to the jurisdiction of the Interstate Commerce Commission or the PUC may be taken under the right of eminent domain *"...unless the carrier is in a bankruptcy proceeding or otherwise not operational."*

The legislation shall take effect in 90 days.

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FISCAL IMPACT:

The Governor's Budget Office advises that there would be a minimal fiscal impact to the PUC General Fund Restricted Account. Presently, the PUC's jurisdiction in counties of the second class is limited to taxicabs, limousines and school buses. House Bill 10 would expand the PUC's jurisdiction over passenger transportation in counties of the second class and make regulation of the industry there consistent with other areas of the state.

The PUC believes that the majority of carriers currently providing service within Allegheny County under the jurisdiction of the Port Authority already hold certificates of public convenience with the PUC, and so the carriers will need only to amend their operating authority to include Allegheny County. Neither the application process nor the added enforcement oversight should require additional personnel.