

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1339 Session of 2011

INTRODUCED BY KORTZ, DENLINGER, HARKINS, HORNAMAN, JOSEPHS,
MULLERY, SWANGER AND THOMAS, APRIL 13, 2011

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 13, 2011

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, providing for police fuel reimbursement surcharge;
3 and establishing the Police Fuel Reimbursement Fund.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 75 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 6508. Police fuel reimbursement surcharge.

9 (a) Surcharge.--In addition to any fines, fees or penalties
10 levied or imposed as provided by law under this title or any
11 other statute, a surcharge of \$12 shall be imposed upon
12 conviction for a violation of section 3362 (relating to maximum
13 speed limits) for disposition in accordance with subsection (b).

14 (b) Disposition.--Notwithstanding the provisions of 42
15 Pa.C.S. §§ 3571 (relating to Commonwealth portion of fines,
16 etc.) and 3573 (relating to municipal corporation portion of
17 fines, etc.), the surcharge levied and collected under
18 subsection (a) by any division of the unified judicial system

1 existing under section 1 of Article V of the Constitution of
2 Pennsylvania and 42 Pa.C.S. § 301 (relating to unified judicial
3 system) shall be remitted to the Commonwealth for deposit in the
4 Police Fuel Reimbursement Fund for the purpose of police fuel
5 reimbursements in accordance with this section.

6 (c) Police Fuel Reimbursement Fund.--

7 (1) There is hereby established a Police Fuel
8 Reimbursement Fund within the State Treasury. The fund shall
9 be administered by the State Treasury. All interest earned
10 from the deposit of moneys accumulated in the fund shall be
11 deposited in the fund for the same use.

12 (2) All moneys deposited into the fund shall be held in
13 trust and shall not be considered general revenue of the
14 Commonwealth but shall be used only to effectuate the
15 purposes of this section.

16 (d) Reimbursements.--

17 (1) An issuing authority within this Commonwealth shall
18 on a quarter annually basis, submit the following information
19 on a form determined by the treasury:

20 (i) The total number of convictions resulting in a
21 surcharge under subsection (a).

22 (ii) The total amount appropriated to the issuing
23 authority for fuel costs.

24 (2) The treasury shall pay annually from the fund to an
25 issuing authority an amount equal to 12 times the amount of
26 convictions reported under paragraph (1), but not more than
27 the amount reported under subsection (a)(2).

28 (3) After all annual reimbursements are made to issuing
29 authorities, the remaining balance of the fund shall be paid
30 to the Pennsylvania State Police for fuel costs. Moneys

1 granted to the Pennsylvania State Police under this section
2 shall not be included in determining its annual State
3 appropriation.

4 (e) Definitions.--As used in this section, the following
5 words and phrases shall have the meanings given to them in this
6 subsection:

7 "Fund." The Police Fuel Reimbursement Fund.

8 "Issuing authority." An enforcement agency employing public
9 officials having the power and authority of a magisterial
10 district judge and has issued at least one violation of 75
11 Pa.C.S. § 3362 (relating to maximum speed limits), which has
12 resulted in a conviction. The term does not include the
13 Pennsylvania State Police.

14 Section 2. This act shall take effect in 60 days.