

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

SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED, JUNE 3, 2013

AN ACT

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

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

33 The General Assembly finds and declares as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 amount to the State Treasurer, who shall transfer that amount to
2 The Governor Robert P. Casey Memorial Organ and Tissue Donation
3 Awareness Trust Fund.

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

1 actual operating costs on a full fiscal year basis plus 3%. The
2 amounts approved by the Governor as necessary are hereby
3 appropriated from the General Fund for this purpose.

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

7 § 1503. Definitions.

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

11 * * *

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

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

26 * * *

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

29 § 1506. Fund.

30 * * *

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

2 (1) The following apply:

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

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

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

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

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

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

26 * * *

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

29 (1) 4.4% of the amount collected under Article II of the
30 Tax Reform Code. Revenues under this paragraph shall be

1 deposited into the fund by the 20th day of each month for the
2 preceding month. The amount deposited under this paragraph is
3 estimated to be equivalent to the money available to the
4 department from the following sources:

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

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

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

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

16 (4) The REVENUES FROM THE surcharge imposed under 75 <--
17 Pa.C.S. § 6506(a.1) (relating to surcharge).

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

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

23 * * *

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

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

30 (i) [All] From the revenues deposited in the fund

1 under subsection (b) (1) [.]:

2 (A) For fiscal years 2013-2014 and 2014-2015,
3 \$162,000,000.

4 (B) For fiscal years 2015-2016 and 2016-2017,
5 \$118,500,000.

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

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

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

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

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

18 (A) For fiscal years 2013-2014 and 2014-2015,
19 10%.

20 (B) For fiscal years 2015-2016 and 2016-2017,
21 43.6%.

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

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

27 (A) By the proceeds of Commonwealth capital
28 bonds deposited into the fund under subsection (c)
29 (2).

30 [(A.1) For fiscal year 2007-2008, \$50,000,000

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

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

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

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

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

8 (E) Ninety five percent of the remaining revenue
9 deposited in the fund under subsection (b)(1), after
10 the allocation of \$30,000,000 to the Multimodal
11 Transportation Fund UNDER SECTION 2102 (RELATING TO <--
12 DEPOSITS TO FUND).

13 (F) The ~~revenue~~ REVENUES deposited in the fund <--
14 under subsection (c)(4) and (5).

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

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

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

30 Section 4. Section 1507(a)(6) and (c) of Title 74 are

1 amended and subsection (a) is amended by adding a paragraph to
2 read:

3 § 1507. Application and approval process.

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

8 * * *

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

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

22 * * *

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

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

12 Section 5. Sections 1511 and 1512 of Title 74 are amended to
13 read:

14 § 1511. Report to Governor and General Assembly.

15 [The following shall apply:

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

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

22 ~~§ 1512. Coordination and consolidation.~~ <--

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

28 ~~(b) Consolidation.~~

29 ~~(1) The department shall study the consolidation of~~
30 ~~local transportation organizations as a means of reducing~~

~~annual expense. The study shall examine the creation of service regions to determine whether consolidation would reduce annual expenses.~~

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

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

~~(c) Funding for merger and consolidation incentives. A capital project that is needed to support a local transportation organization that has agreed to merge and 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 merger and consolidation plan; and~~

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

§ 1512. COORDINATION AND CONSOLIDATION.

<--

(A) COORDINATION.--COORDINATION IS REQUIRED IN REGIONS WHERE TWO OR MORE AWARD RECIPIENTS HAVE SERVICES OR ACTIVITIES FOR

1 WHICH FINANCIAL ASSISTANCE IS BEING PROVIDED UNDER THIS CHAPTER
2 TO ASSURE THAT THE SERVICES OR ACTIVITIES ARE PROVIDED
3 EFFICIENTLY AND EFFECTIVELY.

4 (B) CONSOLIDATION.--

5 (1) THE DEPARTMENT SHALL STUDY THE CONSOLIDATION OF
6 LOCAL TRANSPORTATION ORGANIZATIONS AS A MEANS OF REDUCING
7 ANNUAL EXPENSES INCURRED BY LOCAL TRANSPORTATION
8 ORGANIZATIONS. THE STUDY SHALL EXAMINE THE CREATION OF
9 SERVICE REGIONS TO DETERMINE WHETHER CONSOLIDATION WOULD
10 RESULT IN REDUCED ANNUAL EXPENSES FOR THE LOCAL
11 TRANSPORTATION ORGANIZATIONS PROPOSED TO BE CONSOLIDATED.

12 (2) IF THE RESULTS OF THE STUDY UNDER PARAGRAPH (1)
13 CONCLUDE THAT CONSOLIDATION WILL RESULT IN ESTIMATED ANNUAL
14 SAVINGS TO ONE OR MORE OF THE LOCAL TRANSPORTATION
15 ORGANIZATIONS OF AT LEAST \$2,000,000 OR 25% OF THE LOCAL
16 MATCH CONTRIBUTION UNDER SECTION 1513 (RELATING TO OPERATING
17 PROGRAM) AT THE TIME OF COMPLETION OF THE STUDY, THE LOCAL
18 TRANSPORTATION ORGANIZATION AND MUNICIPALITY SHALL IMPLEMENT
19 THE RECOMMENDED ACTION OR PROVIDE INCREASED LOCAL MATCHING
20 FUNDS EQUAL TO 25% OF THE TRANSPORTATION ORGANIZATION'S AND
21 LOCAL GOVERNMENT'S FINANCIAL ASSISTANCE UNDER SECTION 1513.

22 (3) THE DEPARTMENT SHALL WAIVE THE MATCH INCREASE UNDER
23 PARAGRAPH (2) FOR A LOCAL TRANSPORTATION ORGANIZATION OR
24 MUNICIPALITY IF THE LOCAL TRANSPORTATION ORGANIZATION OR
25 MUNICIPALITY IS THE ONLY ENTITY WILLING TO CONSOLIDATE IN
26 ACCORDANCE WITH PARAGRAPH (2) AND NO CONSOLIDATION OCCURS.

27 (C) FUNDING FOR CONSOLIDATION INCENTIVES.--A CAPITAL PROJECT
28 THAT IS NECESSARY TO SUPPORT A LOCAL TRANSPORTATION ORGANIZATION
29 THAT HAS AGREED TO CONSOLIDATE OPERATIONS AND ADMINISTRATION TO
30 ACHIEVE COST AND SERVICE EFFICIENCIES SHALL BE ELIGIBLE FOR

1 FINANCIAL ASSISTANCE UNDER THIS CHAPTER. THE APPLICATION FOR

2 FINANCIAL ASSISTANCE MUST:

3 (1) IDENTIFY THE EFFICIENCIES IN A CONSOLIDATION PLAN;

4 AND

5 (2) INCLUDE THE EXPECTED DOLLAR SAVINGS THAT WILL RESULT
6 FROM THE CONSOLIDATION.

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

9 § 1514. Asset improvement program.

10 * * *

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

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

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

26 (3) Other local transportation organizations organized
27 and existing as the primary providers of public passenger
28 transportation for the counties of this Commonwealth not
29 identified under paragraph (1) or (2) shall receive 8% of the
30 funds available for distribution under this section. The

1 department shall allocate the funds under this paragraph
2 among the local transportation organizations.

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

8 * * *

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

11 § 1516. Programs of Statewide significance.

12 * * *

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

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

23 (2) The department may award financial assistance under
24 this subsection for program start-up and for continuing
25 capital expenses to offset administrative and capital
26 expenses. For community transportation trips made by eligible
27 persons with disabilities, financial assistance may be
28 awarded to an eligible community transportation system to
29 reimburse the system for up to 85% of the fare established
30 for the general public for each trip which is outside of

1 fixed-route and paratransit service areas and not eligible
2 for funding from any other program or funding source. The
3 person making the trip or an approved third-party sponsor
4 shall contribute the greater of 15% of the fare established
5 for the general public or the Americans with Disabilities Act
6 complementary paratransit fare.

7 * * *

8 (e) Technical assistance [and], demonstration AND

<--

9 EMERGENCY.--The department is authorized to provide financial
10 assistance under this section for technical assistance, research
11 and short-term demonstration or emergency projects. All of the
12 following shall apply:

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

16 (2) Financial assistance provided under this subsection
17 may be used for reimbursement for any approved operating or
18 capital costs related to technical assistance and
19 demonstration program projects. Financial assistance for
20 short-term demonstration projects may be provided at the
21 department's discretion on an annual basis based on the level
22 of financial commitment provided by the award recipient to
23 provide ongoing future funding for the project as soon as the
24 project meets the criteria established by the department and
25 the award recipient. Financial assistance for this purpose
26 shall not be provided for more than three fiscal years.
27 Financial assistance may be provided to meet any short-term
28 emergency need that requires immediate attention and cannot
29 be funded through other sources.

30 (3) Financial assistance under this subsection provided

1 to a local transportation organization shall be matched by
2 local or private cash funding in an amount not less than
3 3.33% of the amount of the financial assistance being
4 provided. The sources of funds for the local match shall be
5 subject to the requirements of section 1513(d) (3) (relating
6 to operating program).

7 (4) As follows:

8 (i) For short-term demonstration projects awarded
9 financial assistance under this subsection, the
10 department shall determine if the demonstration project
11 was successful based upon the performance criteria
12 established prior to the commencement of the
13 demonstration project and approved by the department.

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

22 (iii) During the first year in which the
23 demonstration project is eligible for and applies for
24 financial assistance under section 1513, the local
25 transportation organization or agency or instrumentality
26 of the Commonwealth that conducted the demonstration
27 project and transitioned it to regular public passenger
28 transportation service shall be eligible to receive
29 financial assistance up to 65% of the transportation
30 service's prior fiscal year operating costs or expenses

1 for the service as an initial base operating allocation.

2 (iv) The initial base operating allocation shall be
3 taken from the growth under section 1513 over the prior
4 year before distributing the remainder of the formula
5 described in section 1513.

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

7 [§ 1517. Capital improvements program.

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

10 (b) Applications.--The department shall establish the
11 contents of the application for the program established under
12 this section. The information shall be in addition to
13 information required under section 1507 (relating to application
14 and approval process).

15 (c) Distribution formula.--The department shall award
16 financial assistance under this section based on the number of
17 passengers. The actual amount awarded to a local transportation
18 organization under this subsection shall be calculated as
19 follows:

20 (1) Multiply the local transportation organization's
21 passengers by the total amount of funding available under
22 this section.

23 (2) Divide the product under paragraph (1) by the sum of
24 the passengers for all qualifying local transportation
25 organizations.

26 (d) Payments.--Financial assistance under this section shall
27 be paid to local transportation organizations at least
28 quarterly.

29 (e) Reduction in financial assistance.--Financial assistance
30 provided to a local transportation organization under this

1 section shall be reduced by any financial assistance received
2 previously under this section which has not been spent or
3 committed in a contract within three years of its receipt.]

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

5 CHAPTER 21

6 MULTIMODAL TRANSPORTATION FUNDING

7 Sec.

8 2101. Multimodal Transportation Fund.

9 2102. Deposits to fund.

10 2103. Use of revenue.

11 2104. Distribution of revenue.

12 2105. Project selection criteria and agreement.

13 2106. Local match.

14 § 2101. Multimodal Transportation Fund.

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

19 § 2102. Deposits to fund.

20 The following shall be deposited in the Multimodal
21 Transportation Fund:

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

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

28 (3) For fiscal year 2015-2016 and each fiscal year
29 thereafter, \$20,000,000 from the oil company franchise tax
30 imposed under 75 Pa.C.S. § 9502 (relating to imposition of

1 tax) to be expended in accordance with section 11 of Article
2 VIII of the Constitution of Pennsylvania.

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

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

6 § 2103. Use of revenue.

7 Money in the fund 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 million dollars shall be designated for programs
23 related to rail freight.

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

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

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

30 § 2105. Project selection criteria and agreement.

1 The department shall award grants under this chapter on a
2 competitive basis. The department may not reserve, designate or
3 set aside a specific level of funds or percentage of funds to an
4 applicant prior to the completion of the application process,
5 nor may the department designate a set percentage of funds to an
6 applicant.

7 § 2106. Local match.

8 Financial assistance under this section shall be matched by
9 county, municipal or private funding in an amount not less than
10 30% of the non-Federal share of the project cost. Matching funds
11 from a county or municipality shall only consist of cash
12 contributions provided by one or more counties or
13 municipalities.

14 Section 10. The definitions of "electronic toll collection,"
15 "owner" and "violation enforcement system" in section 8102 of
16 Title 74 are amended and the section is amended by adding
17 definitions to read:

18 § 8102. Definitions.

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

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

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

29 "Certificate of passage toll collection." A system of
30 collecting a toll or charge by providing a vehicle owner,

1 operator or lessee with a certificate of passage at a toll
2 collection facility if the owner, operator or lessee does not
3 have sufficient funds to pay the prescribed toll at the time he
4 or she passes through the toll collection facility.

5 * * *

6 "Electronic toll collection." A system of collecting tolls
7 or charges [that is capable of charging an account holder for
8 the prescribed toll] by electronic transmission of information
9 [between], including by use of a device on a vehicle and a
10 device [in a toll lane] at a toll collection facility, open road
11 tolling, video tolling system or other similar structural or
12 technological enhancements related to tolling.

13 * * *

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

19 * * *

20 "Toll collection." A system of collecting tolls or charges
21 that is capable of charging an account holder or vehicle owner,
22 operator or lessee for the prescribed toll by automated toll
23 collection, certificate of passage toll collection or electronic
24 toll collection.

25 * * *

26 "Video tolling system." As follows:

27 (1) A vehicle sensor or other electronic toll collection
28 device, placed in a location to work in conjunction with a
29 toll collection facility, which automatically produces a
30 videotape or photograph, microphotograph or other recorded

1 image of the vehicle or vehicle license plate at the time the
2 vehicle is used or operated on the tolled facility in order
3 to collect tolls or detect violations of the toll collection
4 regulations or rules.

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

8 "Violation." The failure to pay the prescribed toll as
9 provided under section 8117 (a) (1) (relating to toll
10 collection).

11 ["Violation enforcement system." A vehicle sensor, placed in
12 a location to work in conjunction with a toll collection
13 facility, which automatically produces a videotape or
14 photograph, microphotograph or other recorded image of the rear
15 portion of each vehicle at the time the vehicle is used or
16 operated in violation of the toll collection regulations. The
17 term includes any other technology which identifies a vehicle by
18 photographic, electronic or other method.]

19 Section 11. Sections 8105(b), 8117 and 9110(f) (5) of Title
20 74 are amended to read:

21 § 8105. Commission.

22 * * *

23 (b) Vacancies and terms.--

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

28 (2) The appointed member shall serve for a term of four
29 years. Upon the expiration of this term, the appointed member
30 may continue to hold office for 90 days or until his

1 successor shall be duly appointed and qualified, whichever is
2 shorter. A member may not serve more than two terms.

3 * * *

4 § 8117. [Electronic toll] Toll collection.

5 (a) Liability of owner.--

6 [(1) If an operator of a vehicle fails to pay the
7 prescribed toll at any location where tolls are collected by
8 means of electronic toll collection, the owner of the vehicle
9 shall be liable to the commission for failure of the operator
10 of the vehicle to comply with this section if the violation
11 is evidenced by information obtained from a violation
12 enforcement system.

13 (2) If a violation of this section is committed, the
14 registration plate number of the vehicle as recorded by a
15 violation enforcement system shall establish an inference
16 that the owner of the vehicle was then operating the vehicle.
17 The inference shall be overcome if the owner does all of the
18 following:

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

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

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

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

30 (4) If the inference is overcome, the operator of the

1 vehicle may be held liable under this section for failure to
2 pay the prescribed toll in the same manner as if the operator
3 were the owner of the vehicle.

4 (b) Imposition of liability.--Liability under this section
5 shall be imposed upon an owner for a violation of this section
6 or the regulations of the commission occurring within the
7 territorial limits of this Commonwealth. If a violation is
8 committed as evidenced by a violation enforcement system, the
9 following shall apply:

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

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

15 (ii) The notice must be mailed at the address shown
16 on the vehicle registration or at the address of the
17 operator, as applicable. Notice must be mailed no later
18 than 60 days after:

19 (A) the alleged conduct; or

20 (B) the date the inference is overcome under
21 subsection (a)(2).

22 (iii) Personal service is not required.

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

24 (A) Information advising the person charged of
25 the manner and time in which the liability alleged in
26 the notice may be contested.

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

1 (1) Notwithstanding any other provision of law, if an
2 operator of a vehicle fails to pay the prescribed toll at a
3 prescribed location by means of toll collection or as
4 directed by official signs posted on the tolled facility in
5 accordance with the rules or regulations instituted for toll
6 collection by the commission, the owner of the vehicle shall
7 be liable to the commission or its authorized agent for
8 failure of the operator of the vehicle to comply with this
9 section if the violation is evidenced by any of the
10 following:

11 (i) Information obtained from a video tolling
12 system.

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

15 (2) Except for an operator who utilizes certificates of
16 passage toll collection, if an operator of a vehicle fails to
17 pay the prescribed toll as provided under paragraph (1), the
18 registration plate number of the vehicle as recorded by a
19 video tolling system shall establish an inference that the
20 owner of the vehicle was operating the vehicle at the time of
21 the violation. The inference shall be overcome if the owner
22 does all of the following:

23 (i) Testifies that the owner was not operating the
24 vehicle at the toll facility at the time of the
25 violation.

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

28 (iii) Reveals the name and residence address, if
29 known, of the operator of the vehicle or demonstrates to
30 the reasonable satisfaction of the commission that the

1 vehicle was misidentified.

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

8 (4) A court of competent jurisdiction shall admit as
9 prima facie evidence the verified statement relied upon under
10 paragraph (3). The operator of the vehicle may be held liable
11 under this section for failure to pay the prescribed toll in
12 the same manner as if the operator were the owner of the
13 vehicle if any of the following apply:

14 (i) The inference is overcome.

15 (ii) The operator of the vehicle utilized
16 certificate of passage toll collection.

17 (b) Imposition of liability.--Liability under this section
18 shall be imposed upon an owner, including a person, lessee or
19 operator who becomes liable in the same manner as if the person
20 was an owner under this section, for a violation of this section
21 or the regulations or rules of the commission occurring within
22 the territorial limits of this Commonwealth. If a violation is
23 committed as evidenced by information obtained from a video
24 tolling system or certificate of passage, the following shall
25 apply:

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

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

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

5 (A) The date of the alleged conduct.

6 (B) The date the inference is overcome in
7 subsection (a)(2).

8 (C) The date that a lessor provides the
9 information required under subsection (b)(3) in a
10 manner that the lessee of the vehicle on the date of
11 violation is deemed to be the owner of the vehicle
12 for purposes of this section.

13 (iii) Personal service of the notice shall not be
14 required.

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

16 (A) The date, time and location of the alleged
17 violation and, if available, the license plate number
18 of the vehicle.

19 (B) Information advising the person charged of
20 the manner and time in which the liability alleged in
21 the notice may be contested.

22 (C) A warning advising the person charged that
23 failure to contest in the manner and time provided
24 shall be deemed an admission of liability, that a
25 default judgment may be entered on the notice and
26 that the failure to pay all unpaid tolls,
27 administrative fees and costs may result in
28 suspension of registration of a vehicle registered to
29 the person by the department.

30 (v) A single notice with respect to multiple

1 violations may be sent if the notice meets the
2 requirements of this paragraph.

3 (1.1) A manual or automatic record of mailing prepared
4 in the ordinary course of business shall be prima facie
5 evidence of the mailing of notice.

6 (2) If an owner of a vehicle or an owner that is a
7 lessor of a vehicle receives a notice of violation under this
8 section for any time period during which the vehicle was
9 reported to a police department as having been stolen, it
10 shall be a defense to the allegation of liability that the
11 vehicle had been reported to the police as having been stolen
12 prior to the time the violation occurred and that the vehicle
13 had not been recovered by the time of the violation. For
14 purposes of asserting the defense under this paragraph, it
15 shall be sufficient that a certified copy of the police
16 report on the stolen vehicle be sent by first class mail to
17 the commission or its authorized agent within 30 days after
18 receiving the original notice of violation. Failure to send
19 the information within the time limit under this paragraph
20 shall render the owner or lessor liable for the penalty
21 prescribed by this section.

22 (3) An owner that is a lessor of a vehicle as to which a
23 notice of violation was issued under paragraph (1) shall not
24 be liable for a violation if the owner sends to the
25 commission or its authorized agent a copy of the rental,
26 lease or other contract document covering the vehicle on the
27 date of the violation, with the name and address of the
28 lessee clearly legible to the commission, within 30 days
29 after receiving the original notice of violation. Failure to
30 send the information within the time limit under this

1 paragraph shall render the lessor liable for the penalty
2 prescribed by this section. If the lessor complies with the
3 provisions of this section, the lessee of the vehicle on the
4 date of the violation shall be deemed to be the owner of the
5 vehicle for purposes of this section and shall be subject to
6 liability for the penalty under this section.

7 (4) A certified report or a facsimile report of an
8 authorized agent or employee of the commission reporting a
9 violation of this section or rules or regulations of the
10 commission based upon [the recorded information obtained from
11 a violation enforcement system] any of the following shall be
12 prima facie evidence of the facts contained in the report and
13 shall be admissible as an official record of regularly
14 conducted activity of the commission kept in the ordinary
15 course of business in any proceeding charging a violation of
16 this section or the toll collection rules or regulations of
17 the commission:

18 (i) The recorded information obtained from a video
19 tolling system.

20 (ii) A certificate of passage.

21 (5) Notwithstanding any other provision of law,
22 videotapes, photographs, microphotographs, other recorded
23 images, written records, reports or facsimiles prepared
24 pursuant to this section shall be for the exclusive use of
25 the commission, its authorized agents, its employees and law
26 enforcement officials for the purpose of discharging duties
27 under this section and the rules or regulations of the
28 commission. The information shall not be deemed a public
29 record under the act of [June 21, 1957 (P.L.390, No.212),
30 referred to as the Right-to-Know Law] February 14, 2008

1 (P.L.6, No.3), known as the Right-to-Know Law. The
2 information shall not be discoverable by court order or
3 otherwise; nor shall it be offered in evidence in any action
4 or proceeding which is not directly related to a violation of
5 this section, the rules or regulations of the commission or
6 indemnification for liability imposed pursuant to this
7 section. The restrictions set forth in this paragraph:

8 (i) shall not be deemed to preclude a court of
9 competent jurisdiction from issuing an order directing
10 that the information be provided to law enforcement
11 officials if the information is reasonably described and
12 is requested solely in connection with a criminal law
13 enforcement action;

14 (ii) shall not be deemed to preclude the exchange of
15 the information between any entities with jurisdiction
16 over or which operate [an electronic] a toll collection
17 system in this Commonwealth or any other jurisdiction;
18 and

19 (iii) shall not be deemed to prohibit the use of
20 information exclusively for the purpose of billing
21 electronic toll collection account holders and other
22 users of toll collection, deducting toll charges from the
23 account of an account holder, enforcing toll collection
24 laws and related rules and regulations or enforcing the
25 provisions of an account holder agreement.

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

28 (7) An imposition of liability pursuant to this section
29 shall not be deemed a conviction of an owner and shall not be
30 made part of the motor vehicle operating record of the person

1 upon whom the liability is imposed, nor shall it be
2 considered in the provision of motor vehicle insurance
3 coverage.

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

10 (i) Either:

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

13 (B) the maximum toll from the farthest point of
14 entry on the [Pennsylvania Turnpike] tolled facility
15 to the actual point of exit if the amount of the toll
16 evaded or attempted to be evaded cannot be
17 determined.

18 (ii) [A reasonable administrative fee not to exceed
19 \$35 per notification.] Fees and costs in an amount
20 sufficient to cover the reasonable costs of collecting
21 the amounts under subparagraph (i) but no greater than an
22 amount set by the commission or its authorized agent or
23 tolling entity as defined in 75 Pa.C.S. § 1380(j).

24 (8.1) The following shall apply:

25 (i) Upon failure of an owner, operator or lessee to
26 pay the amount, fee and cost imposed under paragraph (8),
27 the commission or its authorized agent shall send to the
28 owner, operator or lessee a notice of any toll evasion
29 violation setting forth the outstanding unpaid tolls and
30 administrative fees and costs due to the commission and

1 meeting the requirements of paragraph (1).

2 (ii) The department shall suspend the registration
3 of a vehicle upon the notification from the commission or
4 its authorized agent that the statutory owner or
5 registrant of the vehicle has failed to pay or defaulted
6 in the payment of six or more violations issued under
7 subsection (a)(1) or incurred unpaid tolls or
8 administrative fees or costs that total a minimum of
9 \$500. The suspension shall not be construed to limit the
10 commission's or its authorized agent's ability to recoup
11 tolls, administrative fees or costs.

12 (iii) Prior to notifying the department under
13 subparagraph (iv), the commission or its authorized agent
14 shall provide the statutory owner or registrant written
15 notice by first class mail of its intent to seek
16 suspension of the vehicle registration under this section
17 and afford the statutory owner or registrant with the
18 opportunity to be heard during an administrative
19 proceeding.

20 (iv) The following shall apply:

21 (A) No sooner than 30 days after mailing the
22 notice required under subparagraph (iii), the
23 commission or its authorized agent may notify the
24 department electronically, in a format prescribed by
25 the department, if a statutory owner or registrant
26 fails to respond, fails to pay, defaults in payment
27 of six or more violations issued under subsection (a)
28 (1) or incurs unpaid tolls or administrative fees or
29 costs that total a minimum of \$500.

30 (B) If a notice has been provided under clause

1 (A) and all of the violations are subsequently paid,
2 dismissed, reversed on appeal or canceled, the
3 commission or its authorized agent shall notify the
4 department electronically, in a format prescribed by
5 the department, of the disposition of the violation
6 and shall provide the statutory owner or registrant
7 with a release from the suspension.

8 (v) A suspension under subparagraph (ii) shall
9 continue until the department receives notice from the
10 commission or its authorized agent that all of the
11 violations are paid, dismissed, reversed on appeal or
12 canceled or the defendant enters into an agreement with
13 the commission or its authorized agent to make
14 installment payments for the tolls, administrative fees
15 and costs imposed and pays the fee prescribed under 75
16 Pa.C.S. § 1960 (relating to reinstatement of operating
17 privilege or vehicle registration), except that the
18 suspension may be reimposed by the department if the
19 defendant fails to make regular installment payments.

20 (vi) The department shall impose an additional
21 period of registration suspension if, subsequent to the
22 issuance of a suspension under subparagraph (ii), and
23 prior to the restoration of the registration, the
24 department is notified by the commission or its
25 authorized agent that the statutory owner or registrant
26 has failed to respond, failed to pay or defaulted in the
27 payment of an additional violation issued under
28 subsection (a) (1).

29 (vii) A suspension may not be imposed based upon a
30 violation of subsection (a) (1) more than three years

1 after the violation is committed.

2 (9) Nothing in this section shall be construed to limit
3 the liability of the operator of a vehicle for a violation of
4 this section or of the rules or regulations of the
5 commission.

6 (c) Placement of electronic toll collection device.--An
7 electronic toll collection device which is affixed to the front
8 windshield of a vehicle in accordance with the rules or
9 regulations of the commission shall not be deemed to constitute
10 a violation of 75 Pa.C.S. § 4524 (relating to windshield
11 obstructions and wipers).

12 (d) Privacy of electronic toll collection account holder
13 information.--

14 (1) Except as set forth under paragraph (2),
15 notwithstanding any other provision of law, all of the
16 following apply to information kept by the commission, its
17 authorized agents or its employees which is related to the
18 account of an electronic toll collection system account
19 holder:

20 (i) The information shall be for the exclusive use
21 of the commission, its authorized agents, its employees
22 and law enforcement officials for the purpose of
23 discharging their duties pursuant to this section and the
24 rules or regulations of the commission. This subparagraph
25 includes names, addresses, account numbers, account
26 balances, personal financial information, credit card
27 information, vehicle movement records and other
28 information compiled from transactions with the account
29 holders.

30 (ii) The information shall not be deemed a public

1 record under the Right-to-Know Law, nor shall it be
2 discoverable by court order or otherwise or be offered in
3 evidence in any action or proceeding which is not
4 directly related to the discharge of duties under this
5 section, the rules or regulations of the commission or a
6 violation of an account holder agreement.

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

9 (i) Preclude a court of competent jurisdiction from
10 issuing an order directing that the information be
11 provided to law enforcement officials if the information
12 is reasonably described and is requested solely in
13 connection with a criminal law enforcement action.

14 (ii) Preclude the exchange of the information
15 between any entities with jurisdiction over or which
16 operate an electronic toll collection system in this
17 Commonwealth or any other jurisdiction.

18 (iii) Prohibit the use of the information
19 exclusively for the purpose of billing electronic toll
20 collection account holders, deducting toll charges from
21 the account of an account holder, enforcing toll
22 collection laws and related rules or regulations or
23 enforcing the provisions of an account holder agreement.

24 (d.1) Temporary regulations.--Notwithstanding any other law,
25 regulations promulgated by the commission during the two years
26 following the effective date of this subsection shall be deemed
27 temporary regulations which shall expire no later than three
28 years following the effective date of this subsection or upon
29 promulgation of final regulations. The temporary regulations
30 shall not be subject to any of the following:

1 (1) Sections 201, 202 and 203 of the act of July 31,
2 1968 (P.L.769, No.240), referred to as the Commonwealth
3 Documents Law.

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

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

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

12 (2) has title to the vehicle; or

13 (3) is the registrant or coregistrant of the vehicle
14 registered with the department or a comparable agency of
15 another jurisdiction or uses the vehicle in its vehicle
16 renting or leasing business. The term includes a person
17 entitled to the use and possession of a vehicle subject to a
18 security interest in another person.] Definitions.--As used
19 in this section, the following words and phrases shall have
20 the meanings given to them in this subsection unless the
21 context clearly indicates otherwise:

22 "Owner." As follows:

23 (1) A person, corporation, firm, partnership, agency,
24 association, organization, governmental entity or lessor
25 that, at the time a vehicle is operated in violation of this
26 section or rules or regulations of the commission, meets any
27 of the following:

28 (i) Is the beneficial or equitable owner of the
29 vehicle.

30 (ii) Has title to the vehicle.

1 (iii) Is the registrant or coregistrant of the
2 vehicle registered with the department or a comparable
3 agency of another jurisdiction or uses the vehicle in its
4 vehicle renting or leasing business.

5 (2) The term includes a person entitled to the use and
6 possession of a vehicle subject to a security interest in
7 another person.

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

11 § 9110. Public-private transportation partnership agreement.

12 * * *

13 (f) User fees.--A provision establishing whether user fees
14 will be imposed for use of the public-private transportation
15 project and the basis by which any user fees will be imposed and
16 collected shall be determined in the public-private
17 transportation partnership agreement. If a user fee is proposed
18 as part of the public-private transportation project, a
19 proprietary public entity shall include provisions in the
20 agreement that authorize the collection of user fees, tolls,
21 fares or similar charges, including provisions that:

22 * * *

23 (5) In the event an operator of a vehicle fails to pay
24 the prescribed toll or user fee at any location on a public-
25 private transportation project where tolls or user fees are
26 collected by means of an electronic or other automated or
27 remote form of collection, the collection provisions of
28 section 8117 (relating to [electronic] toll collection) shall
29 apply except that the development entity shall possess all of
30 the rights, roles, limitations and responsibilities of the

1 Pennsylvania Turnpike Commission.

2 * * *

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

4 CHAPTER 92

5 TRAFFIC SIGNALS

6 Sec.

7 9201. Definitions.

8 9202. Maintenance agreement.

9 § 9201. Definitions.

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

13 "Department." The Department of Transportation of the
14 Commonwealth.

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

16 "Maintenance." The activity of keeping a traffic signal in
17 proper working condition during the useful life of the traffic
18 signal.

19 "Replace." The modernization of an existing traffic signal
20 within a designated traffic corridor.

21 "Synchronize." The coordination of all traffic signals
22 within a designated traffic corridor for the purpose of
23 operating as a single system.

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

26 § 9202. Maintenance agreement.

27 (a) Agreement.--A municipality may enter into an agreement
28 with the department to replace, synchronize and time traffic
29 signals located within a designated traffic corridor. The terms
30 of the agreement may specify that the municipality provide

1 services to the department. The agreement shall not exceed the
2 time period of the useful life of the traffic signals. The
3 municipality shall, during the duration of the agreement,
4 properly maintain and time the traffic signals in accordance
5 with the agreement.

6 (b) Intergovernmental cooperation.--Two or more
7 municipalities may enter into an agreement with the department
8 if a designated corridor is located in two or more
9 municipalities.

10 (c) Maintenance.--If the department determines that one or
11 more traffic signals located in a traffic corridor is not being
12 maintained or timed in accordance with an agreement under
13 subsection (a), the department shall provide written notice to
14 all municipalities subject to the agreement no less than 60 days
15 prior to taking any action to correct the improper maintenance
16 and timing. The written notice shall specify the maintenance and
17 timing deficiencies that are to be corrected.

18 (1) A municipality subject to the agreement under
19 subsection (a) shall have 60 days to correct the deficiencies
20 contained in the written notice or to contest, in writing,
21 the findings of the department within 30 days of receipt of
22 the written notice.

23 (2) The requirement that the municipality correct the
24 deficiencies within 60 days of receipt of the written notice
25 shall be temporarily stayed.

26 (3) A municipality that contests the deficiencies
27 specified in the written notice shall have 30 days to enter
28 into an agreement with the department related to the
29 deficiencies specified in the written notice.

30 (4) If the department and the municipality do not enter

1 into an agreement under paragraph (3), the department and the
2 municipality shall agree to binding arbitration with a civil
3 engineer licensed by the Commonwealth who has substantial
4 experience in traffic engineering. The engineer may not be
5 under contract with the department or municipality or
6 municipalities.

7 (d) Failure of municipality to perform.--If a municipality
8 that has entered into an agreement with the department under
9 subsection (a) fails to meet the requirements of subsection (c)
10 (1) or (2), the department may take action to correct the
11 deficiencies specified in the notice under subsection (c).

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

21 CHAPTER 93

22 BRIDGE BUNDLING PROGRAM

23 Sec.

24 9301. Definitions.

25 9302. Bundling authorization.

26 9303. Bridge Bundling Program.

27 9304. Grant limitation exceptions.

28 § 9301. Definitions.

29 The following words and phrases when used in this chapter
30 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

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

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

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

9 "Local government." A county, city, borough, town or
10 township.

11 "Program." The Bridge Bundling Program.
12 § 9302. Bundling authorization.

13 Notwithstanding any other law, the department is authorized
14 to bundle the design and construction of highway bridges owned
15 by the Commonwealth or local governments as provided under this
16 chapter.

17 § 9303. Bridge Bundling Program.

18 (a) Establishment.--The Bridge Bundling Program is
19 established within the department.

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

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

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

27 (2) Are of similar size or design.

28 (3) Inclusion in the program will meet the purpose of
29 the program.

30 (d) Implementation.--The department shall implement the

1 program as follows:

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

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

7 (3) Following RECEIPT OF notification from the <--
8 department, THE GOVERNING BODY OF a local government shall <--
9 have 60 days to agree or refuse participation in the program.
10 Failure to respond in writing within 60 days shall be
11 considered a refusal to participate in the program.

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

17 (4.1) A determination shall not be:

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

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

23 (5) The following shall apply:

24 (i) A local government that agrees to participate in
25 the program for one or more of its bridges that qualify
26 for the program must enter into an agreement with the
27 department. The agreement shall define the department's
28 responsibility for the design and construction of the
29 bridges and the continuing ownership and maintenance
30 responsibilities of the local government for the local

1 bridges replaced or rehabilitated under this program.

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

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

7 (6) Upon full execution of an agreement under the
8 program, the department shall manage the project design and
9 construction in a manner consistent with the purpose of the
10 program.

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

15 § 9304. Grant limitation exceptions.

16 (a) Exceptions.--Notwithstanding section 2(c) of the bridge
17 budget act, a local government shall not be required to pay any
18 local share of the costs ASSOCIATED WITH THE DESIGN AND <--
19 CONSTRUCTION OF THE BRIDGE.

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

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

28 § 1307. Period of registration.

29 (a) Staggered renewal system to be established.--The
30 department shall establish a system of staggered registration

1 renewal in a manner that an approximately equal number of
2 registrations will expire every month throughout [the year] a
3 two-year period. In order to implement and maintain the
4 staggered registration system, the department may prorate annual
5 registration fees over registration periods of from [6 to] 18 to
6 30 months.

7 (a.1) Seasonal registration.--Upon application on a form
8 prescribed by the department, the owner or lessee of a passenger
9 car, recreational motor vehicle, motorcycle, truck or farm
10 vehicle which does not have a gross vehicle weight rating of
11 more than 10,000 pounds may register the vehicle with the
12 department for a period of successive months of less than [one
13 year] two years. The applicant shall specify the period of
14 months during which the vehicle shall be registered. Except when
15 the department initially converts a currently valid [annual]
16 registration to a seasonal registration, the [annual] fee
17 prescribed for the vehicle by Chapter 19 (relating to fees)
18 shall be paid in full by the applicant regardless of the number
19 of months chosen for registration by the applicant. Upon receipt
20 of the appropriate fee and the properly completed form,
21 including all information required by this chapter, the
22 department shall issue a seasonal registration that shall expire
23 on the last day of the expiration month chosen by the
24 registrant. No insurer of a vehicle belonging to any owner or
25 lessee who obtains a seasonal registration and who applies for
26 or receives a reduced automobile insurance premium on account
27 thereof shall be required to provide any contractual coverage,
28 whether in the form of the provision of a defense or the payment
29 of first-party or third-party benefits or otherwise, to the
30 owner or lessee in connection with any event occurring during

1 that part of the [year] registration period in which the vehicle
2 is not registered; and such owner or lessee shall be treated for
3 all purposes, including, without limitation, ascertaining rights
4 to stack coverages and to uninsured and underinsured motorist
5 coverage, as a person who does not own that vehicle and has no
6 duty to carry financial responsibility on it for that part of
7 the [year] registration period.

8 (b) New registration.--A new registration is effective on
9 the date of issuance of a registration card by the department or
10 the date of issuance of a temporary registration card by an
11 authorized agent of the department under section 1310 (relating
12 to temporary registration cards). Except as otherwise provided
13 under this chapter, a new registration shall expire two years
14 after the last day of the month preceding either the date of
15 issuance of a registration card by the department or the date of
16 issuance of a temporary registration card by either the
17 department or an authorized agent of the department, whichever
18 occurs first.

19 (c) Renewal of registration.--A renewed registration shall
20 be effective on issuance by the department of a renewed
21 registration card. Except as otherwise provided under this
22 chapter, a renewed registration shall expire as follows:

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

27 (2) If a registration is renewed after two months have
28 elapsed since expiration, the renewed registration shall
29 expire two years after the last day of the month preceding
30 the date of issuance of the renewed registration.

1 * * *

2 (g) International Registration Plan.--Vehicles registered
3 under the International Registration Plan shall be subject to
4 annual registration renewal.

5 Section 14. Section 1353 of Title 75 is amended to read:
6 § 1353. Preserve our heritage registration plate.

7 The department, in consultation with the Pennsylvania
8 Historical and Museum Commission, shall design a special
9 preserve our heritage registration plate. Upon receipt of an
10 application, accompanied by a fee of [~~\$35~~] \$54 which shall be in
11 addition to the annual registration fee, the department shall
12 issue the plate for a passenger car, motor home, trailer or
13 truck with a registered gross weight of not more than 10,000
14 pounds. The Historical Preservation Fund shall receive \$15 of
15 each additional fee for this plate.

16 Section 15. Section 1354 of Title 75 is repealed:
17 [~~§ 1354. Flagship Niagara commemorative registration plate.~~

18 (a) Plate.--The department, in consultation with the
19 Pennsylvania Historical and Museum Commission, shall design a
20 Flagship Niagara commemorative registration plate. Upon
21 application of any person, accompanied by a fee of \$35 which
22 shall be in addition to the annual registration fee, the
23 department shall issue the plate for a passenger car, motor
24 home, trailer or truck with a registered gross weight of not
25 more than 10,000 pounds.

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

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

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

6 Section 16. Sections 1355 and 1358 of Title 75 are amended
7 to read:

8 § 1355. Zoological plate.

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

18 § 1358. DARE plate.

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

29 Section 16.1. Title 75 is amended by adding a section to
30 read:

1 § 1380. Suspension of registration upon unpaid tolls.

2 (a) Suspension of registration.--

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

6 (i) failed to pay or defaulted in the payment of six
7 or more violations issued pursuant to 74 Pa.C.S. §
8 8117(a)(1) (relating to electronic toll collection) or
9 other laws, regulations, ordinances or other standards
10 applicable to the toll collection or payment requirements
11 for a tolling entity; or

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

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

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

25 (c) Notice to the department.--Not sooner than 30 days after
26 mailing the notice under subsection (b), the tolling entity,
27 provided it has entered into an agreement with the department to
28 enforce the provisions of this section, may notify the
29 department electronically in a format prescribed by the
30 department whenever an owner or registrant meets the

1 requirements for suspension under subsection (a)(1). When a
2 tolling entity has provided notice under this subsection and all
3 of the violations are subsequently paid, dismissed, reversed on
4 appeal or canceled, the tolling entity shall notify the
5 department electronically in a format prescribed by the
6 department of the disposition of the violation and shall provide
7 the owner or registrant with a release from the suspension.

8 (d) Period of suspension.--A suspension under subsection (a)
9 shall continue until the department receives notice from the
10 tolling entity that the violations are paid, dismissed, reversed
11 on appeal or canceled or the owner or registrant enters into an
12 agreement with the tolling entity to make installment payments
13 for tolls, administrative fees and costs imposed and pays the
14 fee prescribed in section 1960 (relating to reinstatement of
15 operating privilege or vehicle registration), provided that the
16 suspension may be reimposed by the department if the owner or
17 registrant fails to make regular installment payments.

18 (e) Additional suspension.--The department shall impose an
19 additional period of registration suspension if, subsequent to
20 the issuance of a suspension under subsection (a) but prior to
21 the restoration of the registration, the department is notified
22 by the tolling entity that the owner or registrant has failed to
23 pay, failed to respond or defaulted in the payment of an
24 additional violation issued pursuant to 74 Pa.C.S. § 8117(a)(1).

25 (f) Violations outside Commonwealth.--The department shall
26 suspend the registration of a vehicle upon the notification from
27 a tolling entity that has entered into an enforcement agreement
28 with the department as authorized under section 6146 (relating
29 to enforcement agreements) for any toll violation of that state
30 or an authority or for failure to pay any fine or costs imposed

1 in accordance with the laws of the jurisdiction in which the
2 violation occurred. A person who provides proof satisfactory to
3 the department that the full amount of the fine and costs has
4 been forwarded to and received by the other state may not be
5 regarded as having failed to pay for the purposes of this
6 subsection.

7 (g) Documentation.--In any proceeding under this section,
8 documents obtained by the department from a tolling entity or
9 from the appropriate agency of the Commonwealth or another state
10 shall be admissible into evidence to support the department's
11 case. In addition, the department may treat the documents and
12 reports as documents of the department and use any of the
13 methods of storage permitted under the provisions of 42 Pa.C.S.
14 § 6109 (relating to photographic copies of business and public
15 records) and may reproduce the documents in accordance with the
16 provisions of 42 Pa.C.S. § 6103 (relating to proof of official
17 records). The department may certify that it has received or
18 obtained documents and reports from a tolling entity, the
19 Commonwealth or other states, and the certification shall be
20 prima facie proof of the facts contained in the documents and
21 reports.

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

26 (i) Collection of out-of-State tolls.--The department or a
27 tolling agency may collect the civil penalties and tolls imposed
28 by an out-of-State tolling entity if the department or tolling
29 entity has entered into a reciprocity agreement that confirms
30 all of the following:

1 (1) The other state or tolling entity has its own
2 effective reciprocal procedures for collecting penalties and
3 tolls imposed by a Commonwealth tolling entity and agrees to
4 collect penalties and tolls of the Commonwealth tolling
5 entity by employing sanctions that include denial of a
6 person's right to register or reregister a motor vehicle.

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

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

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

21 (5) The reciprocal collection agreement between the
22 department or a tolling entity and the other state or tolling
23 entity provides that each party may charge the other a fee
24 sufficient to cover the costs of collection services,
25 including costs incurred by the agency that registers motor
26 vehicles.

27 (j) Definition.--As used in this section, the term "tolling
28 entity" means the Pennsylvania Turnpike Commission, an entity
29 authorized to impose and collect tolls in accordance with the
30 laws of Pennsylvania, including 74 Pa.C.S. Ch. 91 (relating to

1 public-private transportation partnerships) or the laws of
2 another state or states and any authorized agent of such an
3 entity.

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

6 § 1514. Expiration and renewal of drivers' licenses.

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

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

19 (a.2) Staggered renewals.--The department shall establish a
20 system of staggered driver's license renewal in a manner that an
21 approximately equal number of driver's licenses will expire
22 annually throughout an ~~eight-year~~ SIX-YEAR period. In order to <--
23 implement and maintain the staggered driver's license renewal
24 system, the department may issue driver's licenses for periods
25 of 37 to ~~96~~ 72 months. The department shall pro rate the fees <--
26 imposed under Chapter 19 (relating to fees) as appropriate.

27 * * *

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

29 (1) Except as otherwise provided, a license issued on
30 the basis of Immigration and Naturalization Service (INS)

1 credentials or documents shall expire on the date appearing
2 on the INS credentials or documents provided by the applicant
3 under section 1506(a.1) (relating to application for driver's
4 license or learner's permit).

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

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

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

17 (5) License renewals issued under this subsection shall
18 be for the length of time as set forth in paragraph (1) or
19 (2).

20 Section 18. Sections 1553(c), 1554(c), 1617, 1786(d) ~~and~~ <--
21 ~~(e)~~, 1904, 1911, 1912, 1913, 1914, 1915, 1916(a), 1917, 1918,
22 1920, 1921, 1922 and 1923 of Title 75 are amended to read:

23 § 1553. Occupational limited license.

24 * * *

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

28 * * *

29 § 1554. Probationary license.

30 * * *

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

7 * * *

8 § 1617. Fees.

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

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

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

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

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

1 272).

2 § 1786. Required financial responsibility.

3 * * *

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

5 (1) The Department of Transportation shall suspend the
6 registration of a vehicle for a period of three months if it
7 determines the required financial responsibility was not
8 secured as required by this chapter and shall suspend the
9 operating privilege of the owner or registrant for a period
10 of three months if the department determines that the owner
11 or registrant has operated or permitted the operation of the
12 vehicle without the required financial responsibility. The
13 operating privilege shall not be restored until the
14 restoration fee for operating privilege provided by section
15 1960 (relating to reinstatement of operating privilege or
16 vehicle registration) is paid.

17 (1.1) In lieu of serving a registration suspension
18 imposed under this section, an owner or registrant may pay to
19 the department a civil penalty of \$500, the restoration fee
20 prescribed under section 1960 and furnish proof of financial
21 responsibility in a manner determined by the department.

22 (2) Whenever the department revokes or suspends the
23 registration of any vehicle under this chapter, the
24 department shall not restore or transfer the registration
25 until the suspension has been served or the civil penalty has
26 been paid to the department and the vehicle owner furnishes
27 proof of financial responsibility in a manner determined by
28 the department and submits an application for registration to
29 the department, accompanied by the fee for restoration of
30 registration provided by section 1960. This subsection shall

1 not apply in the following circumstances:

2 (i) The owner or registrant proves to the
3 satisfaction of the department that the lapse in
4 financial responsibility coverage was for a period of
5 less than 31 days and that the owner or registrant did
6 not operate or permit the operation of the vehicle during
7 the period of lapse in financial responsibility.

8 (ii) The owner or registrant is a member of the
9 armed services of the United States, the owner or
10 registrant has previously had the financial
11 responsibility required by this chapter, financial
12 responsibility had lapsed while the owner or registrant
13 was on temporary, emergency duty and the vehicle was not
14 operated during the period of lapse in financial
15 responsibility. The exemption granted by this paragraph
16 shall continue for 30 days after the owner or registrant
17 returns from duty as long as the vehicle is not operated
18 until the required financial responsibility has been
19 established.

20 (iii) The insurance coverage has terminated or
21 financial responsibility has lapsed simultaneously with
22 or subsequent to expiration of a seasonal registration,
23 as provided in section 1307(a.1) (relating to period of
24 registration).

25 (3) An owner whose vehicle registration has been
26 suspended under this subsection shall have the same right of
27 appeal under section 1377 (relating to judicial review) as
28 provided for in cases of the suspension of vehicle
29 registration for other purposes. The filing of the appeal
30 shall act as a supersedeas, and the suspension shall not be

1 imposed until determination of the matter as provided in
2 section 1377. The court's scope of review in an appeal from a
3 vehicle registration suspension shall be limited to
4 determining whether:

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

7 (ii) there has been either notice to the department
8 of a lapse, termination or cancellation in the financial
9 responsibility coverage as required by law for that
10 vehicle or that the owner, registrant or driver was
11 requested to provide proof of financial responsibility to
12 the department, a police officer or another driver and
13 failed to do so. Notice to the department of the lapse,
14 termination or cancellation or the failure to provide the
15 requested proof of financial responsibility shall create
16 a presumption that the vehicle lacked the requisite
17 financial responsibility. This presumption may be
18 overcome by producing clear and convincing evidence that
19 the vehicle was insured at all relevant times.

20 (4) Where an owner or registrant's operating privilege
21 has been suspended under this subsection, the owner or
22 registrant shall have the same right of appeal under section
23 1550 (relating to judicial review) as provided for in cases
24 of suspension for other reason. The court's scope of review
25 in an appeal from an operating privilege suspension shall be
26 limited to determining whether:

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

29 (ii) the owner or registrant operated or permitted
30 the operation of the same vehicle when it was not covered

1 by financial responsibility. The fact that an owner,
2 registrant or operator of the motor vehicle failed to
3 provide competent evidence of insurance or the fact that
4 the department received notice of a lapse, termination or
5 cancellation of insurance for the vehicle shall create a
6 presumption that the vehicle lacked the requisite
7 financial responsibility. This presumption may be
8 overcome by producing clear and convincing evidence that
9 the vehicle was insured at the time that it was driven.

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

23 ~~(e) Obligations upon issuance, lapse, termination or~~ <--
24 ~~cancellation of financial responsibility.~~

25 ~~(1) An owner of a motor vehicle who ceases to maintain~~
26 ~~financial responsibility on a registered vehicle shall not~~
27 ~~operate or permit operation of the vehicle in this~~
28 ~~Commonwealth until proof of the required financial~~
29 ~~responsibility has been provided to the Department of~~
30 ~~Transportation.~~

1 ~~(2) An insurer who has issued a contract of motor~~
2 ~~vehicle liability insurance, or any approved self insurance~~
3 ~~entity, shall notify the department [in a timely manner] of~~
4 ~~such issuance within 24 hours and in a method prescribed by~~
5 ~~the [department's regulations. Upon request of an owner or~~
6 ~~registrant in the case of an appeal brought by an owner or~~
7 ~~registrant for suspension under this section, an insurer~~
8 ~~shall provide a copy of the notice of cancellation or a copy~~
9 ~~of the insurer's filing procedures with proof that the notice~~
10 ~~was written in the normal course of business and placed in~~
11 ~~the normal course of mailing. The department shall not be~~
12 ~~required to produce such copy or any other proof that notice~~
13 ~~of termination, lapse or cancellation was provided to the~~
14 ~~owner or registrant in order to satisfy the burden of proof~~
15 ~~in a proceeding under this section.] department.~~

16 ~~(2.1) Upon request by the department, an insurer shall~~
17 ~~notify the department of all vehicles for which it is~~
18 ~~providing vehicle liability insurance on the date of the~~
19 ~~request. The insurer shall submit the information as~~
20 ~~prescribed by the department.~~

21 ~~(3) An insurer who has issued a contract of motor~~
22 ~~vehicle liability insurance [and knows or has reason to~~
23 ~~believe that the contract is only for the purpose of~~
24 ~~providing proof of financial responsibility] shall notify the~~
25 ~~department if the insurance has lapsed or been canceled or~~
26 ~~terminated by the insured or by the insurer. The insurer~~
27 ~~shall notify the department not later than ten days following~~
28 ~~the effective date of the cancellation or termination. Upon~~
29 ~~request of a motor vehicle owner or in the case of an appeal~~
30 ~~brought by an owner or registrant for suspension under this~~

~~section, an insurer shall provide a copy of the notice of termination, lapse or cancellation or a copy of the insurer's filing procedures with proof that the notice was written in the normal course of business and placed in the normal course of mailing. The department shall not be required to produce the copy or any other proof that notice of termination, lapse or cancellation was provided to the owner or registrant in order to satisfy the burden of proof in a proceeding under this section.~~

~~(4) A person who, after maintaining financial responsibility on the vehicle of another person, ceases to maintain such financial responsibility shall immediately notify the vehicle's owner who shall not operate, or permit operation of, the vehicle in this Commonwealth.~~

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

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

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

1 * * *

2 § 1904. Collection and disposition of fees and moneys.

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

9 (b) Disposition.--Fees collected under sections 1951(c)
10 (relating to driver's license and learner's permit), 1952
11 (relating to certificate of title), 1953 (relating to security
12 interest), 1955 (relating to information concerning drivers and
13 vehicles), 1956 (relating to certified copies of records) and
14 1958 (relating to certificate of inspection) shall be
15 transmitted to the State Treasurer for deposit in the following
16 funds:

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

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

23 (3) For fiscal year 2017-2018 and each fiscal year
24 thereafter: 77% to the Public Transportation Trust Fund and
25 23% to the Multimodal Fund.

26 ~~(c) Automatic three year adjustment. For the 36 month~~ <--

27 ~~(C) AUTOMATIC THREE-YEAR ADJUSTMENT.--~~ <--

28 (1) EXCEPT AS PROVIDED UNDER PARAGRAPH (2), FOR THE 36-
29 MONTH period beginning July 1, 2016, through June 30, 2019,
30 and for each like 36-month period thereafter, all fees

1 charged under this title shall be increased by an amount
2 calculated by applying the percentage change in the Consumer
3 Price Index for All Urban Consumers (CPI-U) for the most
4 recent 36-month period, calculated from March 1 through
5 February 28, beginning on the date the fees charged under
6 this title were last increased and for which figures have
7 been officially reported by the United States Department of
8 Labor, Bureau of Labor Statistics, immediately prior to the
9 date the adjustment is due to take effect, to the then
10 current fee amounts authorized.

11 (2) FEES CHARGED UNDER SECTION 1916 (RELATING TO TRUCKS <--
12 AND TRUCK TRACTORS) SHALL BE INCREASED ON JULY 1, 2017, FOR
13 THE PERIOD BEGINNING ON JULY 1, 2017, THROUGH JUNE 30, 2020,
14 AND FOR EACH LIKE 36-MONTH PERIOD THEREAFTER IN THE SAME
15 MANNER AND WITH THE SAME REQUIREMENTS PRESCRIBED UNDER
16 PARAGRAPH (1).

17 § 1911. Annual registration fees.

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

22 (b) Department to establish certain fees.--If a vehicle to
23 be registered is of a type not specifically provided for by this
24 title and is otherwise eligible for registration, the department
25 shall determine the most appropriate fee or fee schedule for the
26 vehicle or type of vehicle based on such factors as design and
27 intended use.

28 § 1912. Passenger cars.

29 The annual fee for registration of a passenger car shall be
30 ~~[\$36]~~ \$52.

1 § 1913. Motor homes.

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

5		Registered Gross	
6	Class	Weight in Pounds	Fee
7	1	8,000 or less	[\$45] <u>\$65</u>
8	2	8,001 - 11,000	[63] <u>90</u>
9	3	11,001 or more	[81] <u>116</u>

10 § 1914. Motorcycles.

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

13 § 1915. Motor-driven cycles.

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

16 § 1916. Trucks and truck tractors.

17 (a) General rule.--

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

22		[Registered	
23		Gross or Combination	
24	Class	Weight in Pounds	Fee
25	1	5,000 or less	\$ 58.50
26	2	5,001 - 7,000	81.00
27	3	7,001 - 9,000	153.00
28	4A	9,001 - 10,000	198.00
29	4B	10,001 - 11,000	198.00
30	5	11,001 - 14,000	243.00

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

21					
22		<u>Registered</u>		<u>Fees</u>	<--
23		<u>Gross or Combination</u>	<u>Fiscal year</u>	<u>Fiscal year</u>	<u>Fiscal year</u>
24	<u>Class</u>	<u>Weight in Pounds</u>	<u>2013-2014</u>	<u>2014-2015</u>	<u>2015-2016</u>
25	<u>1</u>	<u>5,000 or less</u>	<u>\$67</u>	<u>\$76</u>	<u>\$84</u>
26	<u>2</u>	<u>5,001 7,000</u>	<u>93</u>	<u>104</u>	<u>116</u>
27	<u>3</u>	<u>7,001 9,000</u>	<u>175</u>	<u>198</u>	<u>220</u>
28	<u>4A</u>	<u>9,001 10,000</u>	<u>227</u>	<u>255</u>	<u>284</u>
29	<u>4B</u>	<u>10,001 11,000</u>	<u>227</u>	<u>255</u>	<u>284</u>
30	<u>5</u>	<u>11,001 14,000</u>	<u>278</u>	<u>314</u>	<u>349</u>

1	<u>6</u>	<u>14,001</u> — <u>17,000</u>	<u>330</u>	<u>371</u>	<u>413</u>
2	<u>7</u>	<u>17,001</u> — <u>21,000</u>	<u>407</u>	<u>459</u>	<u>510</u>
3	<u>8</u>	<u>21,001</u> — <u>26,000</u>	<u>464</u>	<u>522</u>	<u>581</u>
4	<u>9</u>	<u>26,001</u> — <u>30,000</u>	<u>541</u>	<u>610</u>	<u>678</u>
5	<u>10</u>	<u>30,001</u> — <u>33,000</u>	<u>535</u>	<u>602</u>	<u>670</u>
6	<u>11</u>	<u>33,001</u> — <u>36,000</u>	<u>711</u>	<u>801</u>	<u>891</u>
7	<u>12</u>	<u>36,001</u> — <u>40,000</u>	<u>752</u>	<u>848</u>	<u>943</u>
8	<u>13</u>	<u>40,001</u> — <u>44,000</u>	<u>799</u>	<u>900</u>	<u>1,001</u>
9	<u>14</u>	<u>44,001</u> — <u>48,000</u>	<u>860</u>	<u>969</u>	<u>1,078</u>
10	<u>15</u>	<u>48,001</u> — <u>52,000</u>	<u>948</u>	<u>1,068</u>	<u>1,188</u>
11	<u>16</u>	<u>52,001</u> — <u>56,000</u>	<u>1,010</u>	<u>1,137</u>	<u>1,265</u>
12	<u>17</u>	<u>56,001</u> — <u>60,000</u>	<u>1,144</u>	<u>1,288</u>	<u>1,433</u>
13	<u>18</u>	<u>60,001</u> — <u>64,000</u>	<u>1,273</u>	<u>1,434</u>	<u>1,595</u>
14	<u>19</u>	<u>64,001</u> — <u>68,000</u>	<u>1,334</u>	<u>1,503</u>	<u>1,672</u>
15	<u>20</u>	<u>68,001</u> — <u>73,280</u>	<u>1,432</u>	<u>1,614</u>	<u>1,795</u>
16	<u>21</u>	<u>73,281</u> — <u>76,000</u>	<u>1,829</u>	<u>2,061</u>	<u>2,292</u>
17	<u>22</u>	<u>76,001</u> — <u>78,000</u>	<u>1,870</u>	<u>2,107</u>	<u>2,344</u>
18	<u>23</u>	<u>78,001</u> — <u>78,500</u>	<u>1,891</u>	<u>2,131</u>	<u>2,370</u>
19	<u>24</u>	<u>78,501</u> — <u>79,000</u>	<u>1,911</u>	<u>2,153</u>	<u>2,395</u>
20	<u>25</u>	<u>79,001</u> — <u>80,000</u>	<u>1,932</u>	<u>2,177</u>	<u>2,422</u>

REGISTERED

FEES

<--

	<u>GROSS OR</u>	<u>FISCAL</u>	<u>FISCAL</u>	<u>FISCAL</u>	<u>FISCAL</u>	
	<u>COMBINATION</u>	<u>YEAR</u>	<u>YEAR</u>	<u>YEAR</u>	<u>YEAR</u>	
	<u>WEIGHT IN</u>	<u>2013-2014</u>	<u>2014-2015</u>	<u>2015-2016</u>	<u>2016-2017</u>	
<u>CLASS</u>	<u>POUNDS</u>					
26	<u>1</u>	<u>5,000 or</u>	<u>\$63</u>	<u>\$68</u>	<u>\$73</u>	<u>\$78</u>
		<u>less</u>				
27	<u>2</u>	<u>5,001 -</u>	<u>88</u>	<u>94</u>	<u>101</u>	<u>108</u>
		<u>7,000</u>				
28	<u>3</u>	<u>7,001 -</u>	<u>166</u>	<u>178</u>	<u>191</u>	<u>203</u>

		<u>9,000</u>				
1	<u>4A</u>	<u>9,001 -</u>	<u>214</u>	<u>231</u>	<u>247</u>	<u>263</u>
		<u>10,000</u>				
2	<u>4B</u>	<u>10,001 -</u>	<u>214</u>	<u>231</u>	<u>247</u>	<u>263</u>
		<u>11,000</u>				
3	<u>5</u>	<u>11,001 -</u>	<u>263</u>	<u>283</u>	<u>303</u>	<u>323</u>
		<u>14,000</u>				
4	<u>6</u>	<u>14,001 -</u>	<u>312</u>	<u>336</u>	<u>359</u>	<u>383</u>
		<u>17,000</u>				
5	<u>7</u>	<u>17,001 -</u>	<u>385</u>	<u>414</u>	<u>443</u>	<u>473</u>
		<u>21,000</u>				
6	<u>8</u>	<u>21,001 -</u>	<u>438</u>	<u>472</u>	<u>505</u>	<u>539</u>
		<u>26,000</u>				
7	<u>9</u>	<u>26,001 -</u>	<u>511</u>	<u>550</u>	<u>589</u>	<u>628</u>
		<u>30,000</u>				
8	<u>10</u>	<u>30,001 -</u>	<u>614</u>	<u>661</u>	<u>707</u>	<u>754</u>
		<u>33,000</u>				
9	<u>11</u>	<u>33,001 -</u>	<u>672</u>	<u>723</u>	<u>775</u>	<u>826</u>
		<u>36,000</u>				
10	<u>12</u>	<u>36,001 -</u>	<u>711</u>	<u>765</u>	<u>820</u>	<u>874</u>
		<u>40,000</u>				
11	<u>13</u>	<u>40,001 -</u>	<u>755</u>	<u>813</u>	<u>870</u>	<u>928</u>
		<u>44,000</u>				
12	<u>14</u>	<u>44,001 -</u>	<u>813</u>	<u>875</u>	<u>937</u>	<u>999</u>
		<u>48,000</u>				
13	<u>15</u>	<u>48,001 -</u>	<u>896</u>	<u>965</u>	<u>1,033</u>	<u>1,101</u>
		<u>52,000</u>				
14	<u>16</u>	<u>52,001 -</u>	<u>955</u>	<u>1,028</u>	<u>1,100</u>	<u>1,173</u>
		<u>56,000</u>				
15	<u>17</u>	<u>56,001 -</u>	<u>1,081</u>	<u>1,164</u>	<u>1,246</u>	<u>1,329</u>

		<u>60,000</u>				
1	<u>18</u>	<u>60,001 -</u>	<u>1,203</u>	<u>1,295</u>	<u>1,387</u>	<u>1,487</u>
		<u>64,000</u>				
2	<u>19</u>	<u>64,001 -</u>	<u>1,262</u>	<u>1,358</u>	<u>1,454</u>	<u>1,550</u>
		<u>68,000</u>				
3	<u>20</u>	<u>68,001 -</u>	<u>1,354</u>	<u>1,457</u>	<u>1,561</u>	<u>1,664</u>
		<u>73,280</u>				
4	<u>21</u>	<u>73,281 -</u>	<u>1,729</u>	<u>1,861</u>	<u>1,993</u>	<u>2,125</u>
		<u>76,000</u>				
5	<u>22</u>	<u>76,001 -</u>	<u>1,768</u>	<u>1,903</u>	<u>2,038</u>	<u>2,173</u>
		<u>78,000</u>				
6	<u>23</u>	<u>78,001 -</u>	<u>1,788</u>	<u>1,924</u>	<u>2,060</u>	<u>2,196</u>
		<u>78,500</u>				
7	<u>24</u>	<u>78,501 -</u>	<u>1,807</u>	<u>1,945</u>	<u>2,083</u>	<u>2,220</u>
		<u>79,000</u>				
8	<u>25</u>	<u>79,001 -</u>	<u>1,827</u>	<u>1,966</u>	<u>2,105</u>	<u>2,244</u>
		<u>80,000</u>				

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

13	Amount Deposited in	
14	Highway Bridge Improvement	
15	Classes	Restricted Account
16	9-12	\$ 72
17	13-17	108
18	18-20	144
19	21-25	180

20 * * *

21 § 1917. Motor buses and limousines.

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

4 Seating Capacity	Fee
5 26 or less	\$ [9] <u>12</u> per seat
6 27 - 51	[234] <u>336</u> plus [\$11.25]
7	<u>\$16</u> per seat in excess of
8	26
9 52 or more	[540] <u>775</u>

10 § 1918. School buses and school vehicles.

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

13 § 1920. Trailers.

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

17 Registered Gross	Fee
18 Weight in Pounds	
19 3,000 or less	\$ [6] <u>23</u>
20 3,001 - 10,000	[12] <u>46</u>
21 10,001 or more	[27] <u>103</u>

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

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

30 § 1921. Special mobile equipment.

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

3 § 1922. Implements of husbandry.

4 The annual fee for registration of an implement of husbandry
5 not exempt from registration under this title shall be [\$18]
6 \$26.

7 § 1923. Antique, classic and collectible vehicles.

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

10 Section 19. Section 1924 of Title 75, amended October 24,
11 2012 (P.L.1407, No.174), is amended to read:

12 § 1924. Farm vehicles.

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

16 (b) Certificate of exemption.--The biennial processing fee
17 for a certificate of exemption issued in lieu of registration of
18 a farm vehicle shall be determined by the type of certificate
19 issued and the gross weight or combination weight or weight
20 rating according to the following table:

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

27 Section 20. Sections 1925, 1926(a), (b) and (c), 1926.1,
28 1927, 1928, 1929, 1930, 1931, 1931.1, 1932, 1933 and 1942(a) of
29 Title 75 are amended to read:

30 § 1925. Ambulances, taxis and hearses.

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

3 § 1926. Dealers and miscellaneous motor vehicle business.

4 (a) General rule.--The annual fee for a dealer registration
5 plate or miscellaneous motor vehicle business plate shall be
6 [~~\$36~~] \$52.

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

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

13 * * *

14 § 1926.1. Farm equipment vehicle dealers.

15 The annual fee for registration of a farm equipment dealer
16 truck or truck tractor shall be one-half of the regular fee or
17 [~~\$243~~] \$349, whichever is greater.

18 § 1927. Transfer of registration.

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

20 § 1928. Temporary and electronically issued registration
21 plates.

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

28 § 1929. Replacement registration plates.

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

1 § 1930. Legislative registration plates.

2 The fee for issuance of a legislative registration plate
3 shall be [~~\$20~~] \$76 which shall be in addition to the annual
4 registration fee. Only one payment of the issuance fee shall be
5 charged for each legislative registration plate issued or
6 replaced.

7 § 1931. Personal registration plates.

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

12 § 1931.1. Street rod registration plates.

13 The fee for the issuance of a street rod registration plate
14 shall be [~~\$20~~] \$51 which shall be in addition to the annual
15 registration fee. Only one payment of the issuance fee shall be
16 charged for each street rod registration plate issued or
17 replaced.

18 § 1932. Duplicate registration cards.

19 The fee for each duplicate registration card when ordered at
20 the time of vehicle registration, the transfer or renewal of
21 registration or the replacement of a registration plate shall be
22 [~~\$1.50~~] \$2. The fee for each duplicate registration card issued
23 at any other time shall be [~~\$4.50~~] \$6.

24 § 1933. Commercial implements of husbandry.

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

28 § 1942. Special hauling permits as to weight and size.

29 (a) Fee schedule.--The fee for a special hauling permit for
30 each movement of an overweight or oversize vehicle or load, or

1 both, shall be as follows:

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

4 (2) Oversize vehicle or load, or both, having a width
5 exceeding 14 feet and not exceeding any legal weight limit,
6 [\$50] \$71.

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

10 * * *

11 Section 21. Section 1943 of Title 75, amended October 24,
12 2012 (P.L.1473, No.187), is amended to read:

13 § 1943. Annual hauling permits.

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

18 (c) Course of manufacture.--The annual fee for operation or
19 movement of loads or vehicles, as provided for in section 4968
20 (relating to permit for movement during course of manufacture),
21 shall be as follows:

22 (1) Oversized movements:

23 (i) Movements limited to daylight hours only -
24 [\$100] \$130.

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

27 (2) Overweight movements:

28 (i) Movements not exceeding 100,000 pounds gross
29 weight:

30 (A) Not more than one mile in distance - [\$50]

1 \$69.

2 (B) More than one mile in distance - [\$400]

3 \$750.

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

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

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

15 (f) Containerized cargo.--The annual company fee for
16 movement of any combination with overweight containerized cargo
17 as provided for in section 4974 (relating to permit for movement
18 of containerized cargo) shall be:

19 (1) [\$100] \$155 for a motor carrier requesting permits
20 for up to 15 truck tractors.

21 (2) [\$150] \$233 for a motor carrier requesting permits
22 for 16 to 50 truck tractors.

23 (3) [\$250] \$388 for a motor carrier requesting permits
24 for 51 to 100 truck tractors.

25 (4) [\$350] \$544 for a motor carrier requesting permits
26 for 101 to 150 truck tractors.

27 (5) [\$400] \$622 for a motor carrier requesting permits
28 for 151 or more truck tractors.

29 (g) Domestic animal feed.--The annual fee for movement of
30 each vehicle hauling domestic animal feed, in bulk, as provided

1 for in section 4976 (relating to permit for movement of domestic
2 animal feed) shall be [\$400] \$587.

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

6 (h) Movement of wooden structures.--The annual fee for
7 movement of wooden structures as provided for in section 4977
8 (relating to permit for movement of wooden structures) shall be
9 [\$1,000] \$1,468.

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

14 (j) Building structural components.--The permit fee for each
15 truck tractor authorized to transport building structural
16 components, as provided in section 4978 (relating to permit for
17 movement of building structural components), shall be [\$100]
18 \$141 for each month the permit is valid.

19 (k) Utility construction equipment.--The permit fee for
20 utility construction equipment, as provided for in section
21 4970(a) (relating to permit for movement of construction
22 equipment), shall be [\$100] \$141 for each month the permit is
23 valid.

24 (l) Particleboard or fiberboard.--The annual fee for
25 movement of particleboard or fiberboard, as provided for in
26 section 4979 (relating to permit for movement of particleboard
27 or fiberboard used for the manufacture of ready-to-assemble
28 furniture), shall be [\$800] \$1,130.

29 (m) Bulk refined oil.--The annual fee for movement of bulk
30 refined oil, as provided for in section 4979.1 (relating to

1 permit for movement of bulk refined oil), shall be:

2 (1) [\$800] \$1,130 for a distance up to 50 miles.

3 (2) [\$1,600] \$1,670 for a distance of more than 50 miles
4 up to 125 miles.

5 (n) Waste coal and beneficial combustion ash.--The annual
6 fee for the movement of waste coal and beneficial combustion
7 ash, as provided for in section 4979.2 (relating to permit for
8 movement of waste coal and beneficial combustion ash), shall be
9 [\$400] \$565.

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

15 (p) Self-propelled cranes.--The annual permit fee for each
16 self-propelled crane, as provided for in section 4979.4
17 (relating to permit for movement of self-propelled cranes),
18 shall be as follows:

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

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

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

26 (q.1) Nonhazardous liquid glue.--The annual fee for the
27 movement of nonhazardous liquid glue, as provided for in section
28 4979.5 (relating to permit for movement of nonhazardous liquid
29 glue), shall be [\$800] \$1,000.

30 (q.2) Waste tires.--The annual fee for the movement of waste

1 tires under section 4979.6 (relating to permit for movement of
2 waste tires) shall be [\$800] \$845.

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

8 Section 22. Sections 1944, 1945(b), 1947, 1951, 1952, 1953,
9 1955(a), 1956, 1957, 1958(a), 1959, 1960 and 2102(b) and (d) of
10 Title 75 are amended to read:

11 § 1944. Mobile homes, modular housing units and modular housing
12 undercarriages.

13 The fee for a special hauling permit for a mobile home,
14 modular housing unit or modular housing undercarriage which
15 exceeds the maximum size prescribed in this title but which does
16 not exceed 14 feet in body width shall be [\$25] \$39. The fee for
17 a special hauling permit for a mobile home or modular housing
18 unit, as provided in section 4973 (relating to permits for
19 movement of a mobile home or a modular housing unit and modular
20 housing undercarriage), shall be [\$50] \$76.

21 § 1945. Books of permits.

22 * * *

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

26 § 1947. Refund of certain fees.

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

30 § 1951. Driver's license and learner's permit.

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

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

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

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

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

17 § 1952. Certificate of title.

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

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

25 § 1953. Security interest.

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

28 § 1955. Information concerning drivers and vehicles.

29 (a) Drivers, registrations, titles and security interests.--
30 The fee for a copy of written or electronic information relating

1 to a driver, registration, title or security interest shall be
2 [\$5] \$14.

3 * * *

4 § 1956. Certified copies of records.

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

9 (b) State Police reports.--The fee for a certified
10 Pennsylvania State Police record of investigation of a vehicle
11 accident which the Pennsylvania State Police are authorized by
12 this title to furnish to the public shall be [\$5] \$19 for each
13 copy of the Pennsylvania State Police full report of
14 investigation.

15 § 1957. Uncollectible checks.

16 Whenever any check issued in payment of any fee or for any
17 other purpose is returned to the department as uncollectible,
18 the department or municipality shall charge a fee of [\$10] \$38
19 for each driver's license, registration, replacement of tags,
20 transfer of registration, certificate of title, whether original
21 or duplicate, special hauling permit and each other unit of
22 issue by the department or municipality, plus all protest fees,
23 to the person presenting the check, to cover the cost of
24 collection.

25 § 1958. Certificate of inspection.

26 (a) General rule.--The department shall charge [\$2] \$5 for
27 each annual certificate of inspection [and \$1], \$2 for each
28 semiannual certificate of inspection and \$2 for each certificate
29 of exemption.

30 § 1959. Messenger service.

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

4 (b) Additional places of business.--The annual fee for
5 registration of additional place of business or branch office
6 from which a messenger service may transact business shall be
7 [~~\$25~~] \$95.

8 (c) Transfer of location.--The fee for the transfer of
9 location of a registered place of business or branch office of a
10 messenger service during a period of registration shall be [~~\$5~~]
11 \$19.

12 § 1960. Reinstatement of operating privilege or vehicle
13 registration.

14 The department shall charge a fee of [~~\$25~~] \$70 or, if section
15 1379 (relating to suspension of registration upon sixth unpaid
16 parking violation in cities of the first class) or 1786(d)
17 (relating to required financial responsibility) applies, a fee
18 of [~~\$50~~] \$88 to restore a person's operating privilege or the
19 registration of a vehicle following a suspension or revocation.

20 § 1961. Secure power of attorney.

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

24 § 2102. Identification markers and license or road tax
25 registration card required.

26 * * *

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

29 * * *

30 (d) Operation without identification markers unlawful.--

1 Except as provided in paragraphs (2) and (3), it shall be
2 unlawful to operate or to cause to be operated in this
3 Commonwealth any qualified motor vehicle unless the vehicle
4 bears the identification markers required by this section or
5 valid and unrevoked IFTA identification markers issued by
6 another IFTA jurisdiction.

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

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

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

20 (ii) the motor carrier is registered and/or licensed
21 for the motor carriers road tax with the Department of
22 Revenue or has filed an application therefor with the
23 Department of Revenue:

24 (A) The fee for such temporary permits shall be
25 [~~\$5~~] \$7 for each qualified motor vehicle which shall
26 be deposited in the Highway Bridge Improvement
27 Restricted Account within the Motor License Fund.

28 (B) Conditions for the issuance of such permits
29 shall be set forth in regulations promulgated by the
30 Department of Revenue.

1 (C) A temporary permit issued by another IFTA
2 jurisdiction under authority similar to this
3 paragraph shall be accorded the same effect as a
4 temporary permit issued under this paragraph.

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

20 * * *

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

23 § 3111. Obedience to traffic-control devices.

24 * * *

25 (a.1) Penalty.--

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

29 (2) Notwithstanding 42 Pa.C.S. § 3733(a) (relating to
30 deposits into account), a fine under paragraph (1) shall be

1 distributed as follows:

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

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

7 * * *

8 Section 23.1. Section 6110(b) of Title 75 is amended to
9 read:

10 § 6110. Regulation of traffic on Pennsylvania Turnpike.

11 * * *

12 (b) Penalties.--

13 (1) Except as otherwise provided in this subsection, any
14 person violating any of the rules and regulations of the
15 Pennsylvania Turnpike Commission for which no penalty has
16 otherwise been provided by statute commits a summary offense
17 and shall, upon conviction, be sentenced to pay a fine of
18 \$25.

19 (2) Any person violating any of the rules and
20 regulations of the commission prohibiting fare evasion or
21 attempted fare evasion commits a summary offense and shall,
22 upon conviction for the first time, be sentenced to pay a
23 fine according to the classification by the commission of the
24 vehicle driven by that person at the time of violation as
25 follows:

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

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

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

29 (3) In addition to the fines imposed under this
30 subsection, restitution shall be made to the commission in an

1 amount equal to the full fare, for the appropriate vehicle
2 class, from the farthest point of entry on the turnpike to
3 the actual point of exit.

4 (3.1) (i) A person who, while traveling upon the
5 Pennsylvania Turnpike or a road under its control, takes
6 an affirmative action in an attempt to evade tolls
7 commits a misdemeanor of the third degree, and shall,
8 upon conviction, be sentenced to pay a fine of \$6,500 and
9 to undergo imprisonment for not less than 60 days. For
10 the purposes of this subsection, affirmative action shall
11 include any of the following:

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

14 (B) Installation of a mechanism that rotates,
15 changes, blocks or otherwise mechanically alters the
16 ability of a license plate to be read by a violation
17 enforcement system as defined under 74 Pa.C.S. § 8102
18 (relating to definitions).

19 (C) Installation of a mechanical apparatus upon
20 the vehicle that serves the sole purpose of masking,
21 hiding or manipulating the true weight of the vehicle
22 as it appears to a mechanical scale.

23 (D) Conspiring with an individual or group of
24 individuals in an attempt to alter, lower or evade
25 payment of correct tolls.

26 (E) Unauthorized use of Pennsylvania Turnpike
27 private gate access or otherwise unauthorized
28 movement entering or exiting the turnpike other than
29 at approved interchanges.

30 (F) Any other action taken for the purpose of

1 evading the payment of a toll.

2 (ii) A violation of this paragraph may not preclude
3 prosecution under section 1332 (relating to display of
4 registration plate), section 7122 (relating to altered,
5 forged or counterfeit documents and plates) or section
6 7124 (relating to fraudulent use or removal of
7 registration plate).

8 Section 24. Section 6506(a) of Title 75 is amended by adding
9 a paragraph and the section is amended by adding a subsection to
10 read:

11 § 6506. Surcharge.

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

16 * * *

17 (10) In addition to any other surcharge imposed under
18 this section, upon conviction for a violation of Chapter 11
19 (relating to certificate of title and security interests), 13
20 (relating to registration of vehicles), 15 (relating to
21 licensing of drivers), 16 (relating to commercial drivers),
22 17 (relating to financial responsibility), 19 (relating to
23 fees), 21 (relating to motor carriers road tax identification
24 markers), 31 (relating to general provisions), 33 (relating
25 to rules of the road in general), 35 (relating to special
26 vehicles and pedestrians), 37 (relating to miscellaneous
27 provisions), 38 (relating to driving after imbibing alcohol
28 or utilizing drugs), 41 (relating to equipment standards), 43
29 (relating to lighting equipment), 45 (relating to other
30 required equipment), 47 (relating to inspection of vehicles),

1 49 (relating to size, weight and load), 61 (relating to
2 powers of department and local authorities), 63 (relating to
3 enforcement), 65 (relating to penalties and disposition of
4 finances), 71 (relating to vehicle theft and related
5 provisions), 73 (relating to abandoned vehicles and cargos),
6 75 (relating to messenger service), 77 (relating to
7 snowmobiles and all-terrain vehicles), 83 (relating to
8 hazardous materials transportation), 90 (relating to liquid
9 fuels and fuels tax), 94 (relating to liquid fuels and fuel
10 use tax enforcement) or 96 (relating to motor carriers road
11 tax), a surcharge of \$100.

12 * * *

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

16 Section 25. Section 7715.2(a) of Title 75 is amended to
17 read:

18 § 7715.2. Fees.

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

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

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

23 (2.1) Vintage snowmobile permit, \$20.

24 (3) Dealer registration, \$25.

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

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

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

3 * * *

4 Section 26. The definition of "annual additional payments,"
5 "annual base payments" and "scheduled annual commission
6 contributions" in section 8901 of Title 75 are amended to read:
7 § 8901. Definitions.

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

11 "Annual additional payments." As follows:

12 (1) During the conversion period and after the
13 conversion date, an amount equal to the scheduled annual
14 commission contribution, minus the sum of:

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

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

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

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

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

28 (2) Two hundred million dollars payable annually through
29 fiscal year 2020-2021 in four equal installments each due the
30 last business day of each July, October, January and April.

1 No annual base payments shall be due after fiscal year 2020-
2 2021.

3 * * *

4 "Scheduled annual commission contribution." The following
5 amounts:

6 (1) \$750,000,000 in fiscal year 2007-2008.

7 (2) \$850,000,000 in fiscal year 2008-2009.

8 (3) \$900,000,000 in fiscal year 2009-2010.

9 (4) For fiscal year 2010-2011 and each fiscal year
10 thereafter through fiscal year 2020-2021, the amount shall be
11 the amount calculated for the previous year increased by
12 2.5%, except that the amount shall be equal to the annual
13 base payments plus \$250,000,000 if the conversion notice is
14 not received by the secretary prior to the expiration of the
15 conversion period. No scheduled ANNUAL commission <--
16 contribution annual additional payments shall be due after <--
17 fiscal year 2020-2021.

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

20 § 8915.6. Deposit and distribution of funds.

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

24 (1) For fiscal year [2007-2008, \$450,000,000] 2013-2014,
25 \$145,000,000.

26 (2) For fiscal year [2008-2009, \$500,000,000] 2014-2015,
27 \$145,000,000.

28 (3) For fiscal year [2009-2010, \$500,000,000] 2015-2016,
29 \$90,000,000.

30 (3.1) For fiscal year 2016-2017, \$90,000,000.

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

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

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

8 * * *

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

11 § 9002. Definitions.

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

15 * * *

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

22 (1) For the period beginning July 1, 2013, and ending
23 December 31, 2013, the average wholesale price shall be
24 \$1.87.

25 (2) For the period beginning January 1, 2014, and ending
26 December 31, 2014, the average wholesale price shall be
27 \$2.49.

28 (3) For the period beginning January 1, 2015, and ending
29 December 31, 2015, the average wholesale price shall be
30 \$3.11.

1 (4) Beginning January 1, 2016, in no case shall the
2 average wholesale price be less than [90¢ nor more than
3 \$1.25] \$2.49 per gallon.

4 * * *

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

7 § 9004. Imposition of tax, exemptions and deductions.

8 (a) Liquid fuels and fuels tax.--A [permanent State tax of
9 12¢ a gallon or fractional part thereof] State tax is imposed
10 and assessed upon all liquid fuels and fuels used or sold and
11 delivered by distributors within this Commonwealth[.] as
12 follows:

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

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

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

19 * * *

20 § 9106. Dirt and gravel road maintenance.

21 * * *

22 (b) General rule.--Of the funds available under section
23 9502(a)(1) (relating to imposition of tax), [\$1,000,000]
24 \$3,000,000 shall be annually distributed to the Department of
25 Conservation and Natural Resources for the maintenance and
26 mitigation of dust and sediment pollution from forestry roads.
27 Funds in the amount of [\$4,000,000] \$12,000,000 shall be
28 appropriated annually to the State Conservation Commission and
29 administered in a nonlapsing, nontransferable account restricted
30 to maintenance and improvement of dirt and gravel roads. The

1 State Conservation Commission shall apportion the funds based on
2 written criteria it develops to establish priorities based on
3 preventing dust and sediment pollution. In the first fiscal
4 year, top priority shall be given to specific trouble spot
5 locations already mapped by the Task Force on Dirt and Gravel
6 Roads and available from the department.

7 * * *

8 § 9502. Imposition of tax.

9 (a) General rule.--

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

23 (2) An additional 55 mills is hereby imposed on all
24 liquid fuels and fuels as defined and provided in Chapter 90
25 and such tax shall also be collected as provided in section
26 9004(b), the proceeds of which shall be distributed as
27 follows:

28 (i) [Forty-two] Twenty-nine percent to county
29 maintenance districts for highway maintenance for fiscal
30 year 2013-2014 and 19% for fiscal year 2014-2015 and each

1 year thereafter. This allocation shall be made according
2 to the formula provided in section 9102(b)(2) (relating
3 to distribution of State highway maintenance funds). This
4 allocation shall be made in addition to and not a
5 replacement for amounts normally distributed to county
6 maintenance districts under section 9102.

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

10 (iii) Thirteen percent for bridges.

11 (iv) Two percent for bridges identified as county or
12 forestry bridges.

13 (v) Twelve percent for local roads pursuant to
14 section 9511(c) (relating to basic allocation to
15 municipalities).

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

21 (3) An additional 38.5 mills is hereby imposed upon all
22 liquid fuels and fuels as defined and provided in Chapter 90,
23 and such tax shall also be collected as provided in section
24 9004(b), the proceeds of which shall be deposited in The
25 Motor License Fund and distributed as follows:

26 (i) Twelve percent to municipalities on the basis of
27 and subject to the provisions of the act of June 1, 1956
28 (1955 P.L.1944, No.655), referred to as the Liquid Fuels
29 Tax Municipal Allocation Law, is appropriated.

30 (ii) [Eighty-eight percent to the department is

1 appropriated as follows:

2 (A) Forty-seven percent for distribution in
3 accordance with section 9102(b) (2) for fiscal year
4 1997-1998.

5 (B) Fifty-three percent for a Statewide highway
6 restoration, betterment and resurfacing program for
7 fiscal year 1997-1998.

8 (C) Fifty-seven percent for distribution in
9 accordance with section 9102(b) (2) for fiscal year
10 1998-1999.

11 (D) Forty-three percent for a Statewide highway
12 restoration, betterment and resurfacing program for
13 fiscal year 1998-1999.

14 (E) Sixty-seven percent for distribution in
15 accordance with section 9102(b) (2) for fiscal year
16 1999-2000.

17 (F) Thirty-three percent for a Statewide highway
18 restoration, betterment and resurfacing program for
19 fiscal year 1999-2000.

20 (G) Seventy-seven percent for distribution in
21 accordance with section 9201(b) (2) for fiscal year
22 2000-2001.

23 (H) Twenty-three percent for a Statewide highway
24 restoration, betterment and resurfacing program for
25 fiscal year 2000-2001.

26 (I) One hundred percent for distribution in
27 accordance with section 9102(b) (2) for fiscal year
28 2001-2002 and each year thereafter.

29 (J) For any fiscal year beginning with 1997-1998
30 through and including fiscal year 2000-2001, the

1 department shall make supplemental maintenance
2 program payments from the Statewide highway
3 restoration betterment program to those county
4 maintenance districts for which the total highway
5 maintenance appropriations and executive
6 authorizations in accordance with section 9102(b)
7 would be less than the amount received in 1996-1997
8 from the highway maintenance appropriation, the
9 Secondary Roads-Maintenance and Resurfacing Executive
10 Authorization, the Highway Maintenance Excise Tax
11 Executive Authorization and the Highway Maintenance
12 Supplemental Appropriation.

13 The words and phrases used in this paragraph shall have the
14 meanings given to them in section 9101 (relating to
15 definitions). This one-time allocation shall be made in
16 addition to and is not a replacement for amounts normally
17 distributed to county maintenance districts under section
18 9102.] Fifty-three percent to the department for distribution
19 in accordance with section 9102(b)(2) for fiscal year 2013-
20 2014 and 40% for fiscal year 2014-2015 and each fiscal year
21 thereafter.

22 (iii) Thirty-five percent to the department for
23 expanded highway and bridge maintenance for fiscal year
24 2013-2014 and 48% for fiscal year 2014-2015 and each
25 fiscal year thereafter to be distributed as follows:

26 (A) Annually, 15% of the amount deposited in a
27 fiscal year shall be distributed at the discretion of
28 the secretary.

29 (B) Any funds deposited but not distributed
30 under clause (A) shall be distributed in accordance

1 with the formula under section 9102(b)(2).

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

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

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 Section 30. The following shall apply:

29 (1) No later than two years following the effective date
30 of this section, the Joint State Government Commission shall

1 conduct a study and submit a report to the Governor, the
2 chairman and minority chairman of the Transportation
3 Committee of the Senate and the chairman and minority
4 chairman of the Transportation Committee of the House of
5 Representatives reviewing replacement funding for the
6 revenues deposited in the Public Transportation Trust Fund
7 under 74 Pa.C.S. § 1506 (b) (1) and the revenues deposited in
8 the Motor License Fund under 75 Pa.C.S. § 8915.6 (b) (2) and
9 (3). The report shall include:

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

13 (ii) Identification of specific legislative action
14 necessary to generate the sources of recurring revenue
15 identified under subparagraph (i).

16 (iii) A ranking in descending order of the sources
17 of revenue identified under subparagraph (i), based upon
18 the Joint State Government Commission's recommendation of
19 which revenue sources are most viable.

20 (2) Entities affected by this section shall provide data
21 to complete the report under paragraph (1). In its
22 recommendations, the Joint State Government Commission may
23 propose appropriate additional legislative changes to the
24 Governor and the General Assembly.

25 Section 31. This act shall take effect in 60 days.