

AMENDMENTS TO HOUSE BILL NO. 17

Sponsor: SENATOR MADIGAN

Printer's No. 1262

1 Amend Title, page 1, line 2, by inserting after "DEFINING"

2 "automated red light enforcement system" and

3 Amend Title, page 1, line 3, by inserting after "providing"

4 for period of registration, for person with disability plate and
5 placard, for weight restriction relating to special registration
6 plates, for use and display of illuminated signs, for automated
7 red light enforcement systems in first class cities,

8 Amend Bill, page 1, lines 9 through 11, by striking out all

9 of said lines and inserting

10 Section 1. The definitions of "automated red light
11 enforcement system" and "recorded images" in section 102 of
12 Title 75 of the Pennsylvania Consolidated Statutes are amended
13 to read:

14 102. Definitions.

15 Subject to additional definitions contained in subsequent
16 provisions of this title which are applicable to specific
17 provisions of this title, the following words and phrases when
18 used in this title shall have, unless the context clearly
19 indicates otherwise, the meanings given to them in this section:

20 * * *

21 "Automated red light enforcement system." A vehicle sensor
22 installed to work in conjunction with a traffic-control signal
23 which automatically produces one or more [photographs] recorded
24 images of a vehicle at the time the vehicle is used or operated
25 in a manner which is a violation under this title.

26 * * *

27 "Recorded [images] image." [Images] An image recorded by an
28 automated red light enforcement system on [two or more
29 photographs] a photograph, a digital image or any other image-
30 capture technology.

31 * * *

32 Section 2. Sections 1307(a.1), 1338(a)(9), 1341, 1342(a),
33 (c) and (d), 1346, 1348, 1350, 1351, 1352, 1353, 1354(a), 1355,
34 1356, 1357, 1358, 1359(a), 1360, 1362, 1363 and 1364 of Title 75
35 are amended to read:

36 1307. Period of registration.

37 * * *

38 (a.1) Seasonal registration.--Upon application on a form

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

* * *

1338. Person with disability plate and placard.

(a) Person with disability plate.--On the application of any person who:

* * *

(9) is a person in loco parentis of a person specified in paragraph (1), (2), (3), (4), (5), (6), (7) or (8); the department shall issue a special registration plate for one passenger car or truck with a registered gross weight of not more than [9,000] 10,000 pounds, designating the vehicle so licensed as being used by a person with a disability. Special plates for persons with disabilities may also be issued for vehicles operated exclusively for the use and benefit of persons with disabilities. In the case of a motorcycle, the department shall issue a decal containing the international symbol for access for persons with disabilities for display on the registration plate.

* * *

1341. Special registration plates generally.

Upon request by the applicant, the department may issue registration plates consisting of any combination of numbers, letters or numbers and letters. These special plates may be issued for special groups or for special purposes and bear an appropriate designation. Special groups may charge a fee for authorization to request a registration plate bearing the name of the group. They shall have the same force and effect as regular registration plates. The department may refuse any combination of letters and numbers for cause and shall adopt reasonable rules and regulations for the issuance of the plates and for carrying out the provisions of this section. The

1 applicant shall comply with all laws and regulations pertaining
2 to registration including the payment of any additional fees.
3 The department is authorized to reissue a combination of numbers
4 or letters for a personal plate if the department records reveal
5 that no activity, such as renewal or transfer of the personal
6 registration plate, has occurred for a period of five or more
7 consecutive years and provided that the personal registration
8 plate was never reported as lost or stolen. Whenever the
9 department reissues an inactive personal plate, the department
10 may purge its records of all references to the previous owners
11 of that personal plate. The department shall, however, note upon
12 its records the reissuance of the personal plate and to whom the
13 plate was issued. The special registration plate may be used
14 only on a passenger car or truck with a registered gross weight
15 of not more than 10,000 pounds. If the vehicle is licensed to a
16 business that is not a member of the special group, the
17 department shall issue the plate as long as the business owner
18 or officer making application is a member of that group.

19 1342. Veteran plates and placard.

20 (a) Severely disabled veteran plate.--On the application of
21 a veteran whose service-connected disability is certified at
22 100% by the service unit of the armed forces in which the
23 veteran served or by the United States Veterans' Administration
24 or who has a service-connected disability of the type enumerated
25 in section 1338 (relating to person with disability plate and
26 placard), the department shall issue a special registration
27 plate designating the vehicle as belonging to a severely
28 disabled veteran. The registration plate shall have a white
29 background, shall have blue numbers or letters as the department
30 may determine, shall have the words, "disabled veteran," in at
31 least ten-point bold type, inscribed in red at the bottom of the
32 plate, and shall include the international symbol for access for
33 persons with disabilities. Only one special registration plate
34 shall be issued to a veteran under this section. It may be used
35 only on a passenger car or truck with a registered gross weight
36 of not more than [9,000] 10,000 pounds. In the case of a
37 motorcycle, the department shall issue a decal containing the
38 international symbol for access for persons with disabilities
39 and the words "disabled veteran" for display on the registration
40 plate.

41 * * *

42 (c) Disabled veteran plates.--On the application of any
43 veteran having a disability certified by the service unit of the
44 armed forces in which the veteran served or by the United States
45 Veterans' Administration as service-connected, the department
46 shall issue a special registration plate designating the vehicle
47 as belonging to a disabled veteran. The registration plate shall
48 have a white background, shall have numbers or letters as the
49 department may determine and shall have the words "disabled
50 veteran" in at least ten-point bold type inscribed at the bottom
51 of the plate. Only one special registration plate shall be
52 issued to a veteran under this section. It may be used only on a
53 passenger car or truck with a registered gross weight of not
54 more than [9,000] 10,000 pounds.

55 (d) Prisoner of war plate.--On the application of an ex-
56 prisoner of war whose imprisonment while in the service of the
57 armed forces of the United States is certified by the
58 appropriate branch of the armed forces, the department shall
59 issue a special registration plate designating the vehicle as

1 belonging to an ex-prisoner of war. The registration plate shall
2 contain the letters "POW" and such other numbers or letters as
3 the department may determine and shall have the words "prisoner
4 of war" in at least ten-point bold type inscribed at the bottom
5 of the plate. Only one special registration plate shall be
6 issued to an ex-prisoner of war under this subsection. The
7 special registration plate may be used only on a passenger car
8 or truck with a registered gross weight of not more than [9,000]
9 10,000 pounds.

10 * * *

11 1346. Special plates for recipients of Purple Heart.

12 Upon application of any person who is a recipient of the
13 Purple Heart, the department shall issue to such person a
14 special registration plate designating the vehicle so licensed
15 as belonging to a person who is a recipient of the Purple Heart.
16 A severely disabled veteran, as described in section 1342(a)
17 (relating to veteran plates and placard), who is qualified to
18 receive a plate under this section may also elect to receive a
19 placard under section 1342(b). The special registration plate
20 may be used only on a passenger car or truck with a registered
21 gross weight of not more than [9,000] 10,000 pounds.

22 1348. Special plates for Pearl Harbor survivors.

23 Upon application of any person who is a survivor of Pearl
24 Harbor, accompanied by a fee of \$20 which shall be in addition
25 to the annual registration fee and by such documentation as the
26 department shall require, the department shall issue to such
27 person a special registration plate designating the vehicle so
28 licensed as belonging to a person who is a survivor of Pearl
29 Harbor. The special registration plate may be used only on a
30 passenger car or truck with a registered gross weight of not
31 more than [9,000] 10,000 pounds.

32 1350. Special plates for veterans of Korean War.

33 Upon application of any person who is a veteran of the Korean
34 War, accompanied by a fee of \$20, which shall be in addition to
35 the annual registration fee, and by such documentation as the
36 department shall require, the department shall issue to the
37 person a special registration plate designating the vehicle so
38 licensed as belonging to a person who is a veteran of the Korean
39 War. The special registration plate may be used only on a
40 passenger car or truck with a registered gross weight of not
41 more than [9,000] 10,000 pounds.

42 1351. Special plates for veterans of Persian Gulf War.

43 Upon application of any person who is a veteran of the
44 Persian Gulf War, accompanied by a fee of \$20, which shall be in
45 addition to the annual registration fee, and by such
46 documentation as the department shall require, the department
47 shall issue to the person a special registration plate
48 designating the vehicle so licensed as belonging to a person who
49 is a veteran of the Persian Gulf War. The special registration
50 plate may be used only on a passenger car or truck with a
51 registered gross weight of not more than [9,000] 10,000 pounds.

52 1352. Wild resource conservation plate.

53 The department, in consultation with the Wild Resource
54 Conservation Board, shall design a special wild resource
55 conservation registration plate. Upon application of any person,
56 accompanied by a fee of \$35 which shall be in addition to the
57 annual registration fee, the department shall issue the plate
58 for a passenger car, motor home, trailer or truck with a
59 registered gross weight of not more than [9,000] 10,000 pounds.

1 The Wild Resource Conservation Fund shall receive \$15 of each
2 additional fee for this plate.

3 1353. Preserve our heritage registration plate.

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

13 1354. Flagship Niagara commemorative registration plate.

14 (a) Plate.--The department, in consultation with the
15 Pennsylvania Historical and Museum Commission, shall design a
16 Flagship Niagara commemorative registration plate. Upon
17 application of any person, accompanied by a fee of \$35 which
18 shall be in addition to the annual registration fee, the
19 department shall issue the plate for a passenger car, motor
20 home, trailer or truck with a registered gross weight of not
21 more than [9,000] 10,000 pounds.

22 * * *

23 1355. Zoological plate.

24 The department, in consultation with the Pennsylvania
25 Zoological Council, shall design a special zoological
26 registration plate. Upon application of any person, accompanied
27 by a fee of \$35 which shall be in addition to the annual
28 registration fee, the department shall issue the plate for a
29 passenger car, motor home, trailer or truck with a registered
30 gross weight of not more than [9,000] 10,000 pounds. The
31 Zoological Enhancement Fund shall receive \$15 of the fee paid by
32 the applicant for the plate.

33 1356. Special plates for recipients of Expeditionary Forces
34 Medal.

35 Upon application of any person who is a recipient of the
36 Expeditionary Forces Medal, accompanied by a fee of \$20 which
37 shall be in addition to the annual registration fee and by such
38 documentation as the department shall require, the department
39 shall issue to such person a special registration plate
40 designating the vehicle so registered as belonging to a person
41 who is a recipient of the Expeditionary Forces Medal. The
42 special registration plate may be used only on a passenger car
43 or truck with a registered gross weight of not more than [9,000]
44 10,000 pounds.

45 1357. Special plates for World War II veterans.

46 Upon application of any person who is a veteran of World War
47 II, accompanied by a fee of \$20 which shall be in addition to
48 the annual registration fee and by such documentation as the
49 department shall require, the department shall issue to such
50 person a special registration plate carrying the symbol of a
51 ruptured duck designating the vehicle so registered as belonging
52 to a person who is a veteran of World War II. The special
53 registration plate may be used only on a passenger car or truck
54 with a registered gross weight of not more than [9,000] 10,000
55 pounds.

56 1358. DARE plate.

57 The department, in consultation with the Pennsylvania
58 Commission on Crime and Delinquency, shall design a special drug
59 abuse resistance education (DARE) registration plate which

utilizes the DARE logo or slogan in the design. Upon application of any person, accompanied by a fee of \$35 which shall be in addition to the annual registration fee, the department shall issue the plate for a passenger car, motor home, trailer or truck with a registered gross weight of not more than [9,000] 10,000 pounds. The Drug Abuse Resistance Education Program shall receive \$15 of each additional fee for this plate.

1359. Special plates for steelworkers.

(a) General rule.--Upon application of any person who is a steelworker, accompanied by a fee of \$20 which shall be in addition to the annual registration fee and by such documentation as the department shall require, the department shall issue to such person a special registration plate designating the vehicle so licensed as belonging to a person who is a steelworker. The special registration plate may be used only on a passenger car or a truck with a registered gross weight of not more than [9,000] 10,000 pounds. The plate shall bear the likeness of the official emblem of the American Iron and Steel Institute.

* * *

1360. Special plates for veterans of Vietnam Conflict.

Upon application of any person who is a veteran of the Vietnam Conflict as that term is defined for the awarding of the Vietnam Service Medal, accompanied by a fee of \$20 in addition to the annual registration fee and by such documentation as the department shall require, the department shall issue to the person a special registration plate designating the vehicle so licensed as belonging to a person who is a veteran of the Vietnam Conflict. The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than [9,000] 10,000 pounds.

1362. Operation Iraqi Freedom veterans plate.

Upon application of any person who is a veteran of the liberation or occupation of Iraq, accompanied by a fee of \$20 which shall be in addition to the annual registration fee and by documentation as the department shall require, the department shall issue to the person a special registration plate designating the vehicle so licensed as belonging to a person who is a veteran of Operation Iraqi Freedom. The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds.

1363. Operation Enduring Freedom veterans plate.

Upon application of any person who is a veteran of the liberation or occupation of Afghanistan, accompanied by a fee of \$20 which shall be in addition to the annual registration fee and by documentation as the department shall require, the department shall issue to the person a special registration plate designating the vehicle so licensed as belonging to a person who is a veteran of Operation Enduring Freedom. The special registration plate may be used only on a passenger car or truck with a registered gross weight of not more than 10,000 pounds.

1364. Special plates for veterans.

Upon application of any person who is an honorably discharged veteran of the armed forces of the United States or a reserve component of the armed forces as defined in 51 Pa.C.S. 7301 (relating to definitions), accompanied by a fee of \$20 which shall be in addition to the annual registration fee and by such documentation as the department shall require, the department

1 shall issue to the person a special registration plate
2 designating the vehicle as belonging to a person who is a
3 veteran of the armed forces of the United States. The special
4 registration plate may be used only on a passenger car or truck
5 with a registered gross weight of not more than 10,000 pounds.

6 Section 3. The definition of "serious traffic violation" in
7 section 1603 of Title 75 is amended to read:

8 Amend Bill, page 2, lines 22 and 23, by striking out all of
9 said lines and inserting

10 Section 4. Sections 1605, 3116 and 4107(d) of Title 75 are
11 amended to read:

12 Amend Sec. 2, page 4, by inserting between lines 14 and 15

13 3116. Automated red light enforcement systems in first class
14 cities.

15 (a) General rule.--

16 (1) A city of the first class, upon passage of an
17 ordinance, is authorized to enforce section 3112(a)(3)
18 (relating to traffic-control signals) by recording violations
19 using an automated red light enforcement system approved by
20 the department.

21 (2) This section shall only be applicable at
22 intersections in the city of the first class agreed upon by
23 the system administrator and the Secretary of Transportation
24 who shall consider using the automated red light enforcement
25 system at the following intersections:

26 (i) U.S. Route 1 (Roosevelt Boulevard) at Grant
27 Avenue, at Red Lion Road and at Cottman Street.

28 (ii) Kensington Avenue at Clearfield Street.

29 (iii) Richmond Street at Allegheny Avenue and at
30 Castor Avenue.

31 (iv) Aramingo Avenue at York Street.

32 (v) Thompson Street at Lehigh Avenue.

33 (vi) Broad Street at Washington Avenue.

34 (b) Owner liability.--For each violation pursuant to this
35 section, the owner of the vehicle shall be liable for the
36 penalty imposed unless the owner is convicted of the same
37 violation under another section of this title or has a defense
38 under subsection (f).

39 (c) Certificate as evidence.--A certificate, or a facsimile
40 of a certificate, based upon inspection of [photographs]
41 recorded images produced by an automated red light enforcement
42 system and sworn to or affirmed by a police officer employed by
43 the city of the first class shall be prima facie evidence of the
44 facts contained in it. The city must include written
45 documentation that the automated red light enforcement system
46 was operating correctly at the time of the alleged violation. A
47 [photograph] recorded image evidencing a violation of section
48 3112(a)(3) shall be admissible in any judicial or administrative
49 proceeding to adjudicate the liability for the violation.

50 (d) Penalty.--

51 (1) The penalty for a violation under subsection (a)
52 shall be a fine of \$100 unless a lesser amount is set by
53 ordinance.

54 (2) A fine is not authorized for a violation of this

section if any of the following apply:

(i) The intersection is being manually controlled.

(ii) The signal is in the mode described in section 3114 (relating to flashing signals).

(3) A fine is not authorized during:

(i) The first 120 days of operation of the automated system at the initial intersection.

(ii) The first 60 days for each additional intersection selected for the automated system.

(3.1) A warning may be sent to the violator under paragraph (3).

(4) A penalty imposed under this section shall not be deemed a criminal conviction and shall not be made part of the operating record under section 1535 (relating to schedule of convictions and points) of the individual upon whom the penalty is imposed, nor may the imposition of the penalty be subject to merit rating for insurance purposes.

(5) No surcharge points may be imposed in the provision of motor vehicle insurance coverage. Fines collected under this section shall not be subject to 42 Pa.C.S. 3571 (relating to Commonwealth portion of fines, etc.) or 3573 (relating to municipal corporation portion of fines, etc.).

(e) Limitations.--

(1) No automated red light enforcement system shall be utilized in such a manner as to take a frontal view [photograph] recorded image of the vehicle as evidence of having committed a violation.

(2) Notwithstanding any other provision of law, camera equipment deployed as part of an automated red light enforcement system as provided in this section must be incapable of automated or user-controlled remote intersection surveillance by means of recorded video images. [Photographs] Recorded images collected as part of the automated red light enforcement system [must be 35-millimeter film only,] must only record traffic violations and may not be used for any other surveillance purposes. The restrictions set forth in this paragraph shall not be deemed to preclude a court of competent jurisdiction from issuing an order directing that the information be provided to law enforcement officials if the information is reasonably described and is requested solely in connection with a criminal law enforcement action.

(3) Notwithstanding any other provision of law, information prepared under this section and information relating to violations under this section which is kept by the city of the first class, its authorized agents or its employees, including [photographs] recorded images, written records, reports or facsimiles, names, addresses and the number of violations under this section, shall be for the exclusive use of the city, its authorized agents, its employees and law enforcement officials for the purpose of discharging their duties under this section and under any ordinances and resolutions of the city. The information shall not be deemed a public record under the act of June 21, 1957 (P.L.390, No.212), referred to as the Right-to-Know Law. The information shall not be discoverable by court order or otherwise, nor shall it be offered in evidence in any action or proceeding which is not directly related to a violation of this section or any ordinance or resolution of the city. The restrictions set forth in this paragraph shall not be deemed

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

6 (4) [Photographic evidence] Recorded images obtained
7 through the use of automated red light enforcement systems
8 deployed as a means of promoting traffic safety in a city of
9 the first class shall be destroyed within one year of final
10 disposition of any recorded event. The city shall file notice
11 with the Department of State that the records have been
12 destroyed in accordance with this section.

13 (5) Notwithstanding any other provision of law,
14 registered vehicle owner information obtained as a result of
15 the operation of an automated red light enforcement system
16 under this section shall not be the property of the
17 manufacturer or vendor of the automated red light enforcement
18 system and may not be used for any purpose other than
19 prescribed in this section.

20 (f) Defenses.--

21 (1) It shall be a defense to a violation under this
22 section that the person named in the notice of the violation
23 was not operating the vehicle at the time of the violation.
24 The owner may be required to submit evidence that the owner
25 was not the driver at the time of the alleged violation. The
26 city of the first class may not require the owner of the
27 vehicle to disclose the identity of the operator of the
28 vehicle at the time of the violation.

29 (2) If an owner receives a notice of violation pursuant
30 to this section of a time period during which the vehicle was
31 reported to a police department of any state or municipality
32 as having been stolen, it shall be a defense to a violation
33 pursuant to this section that the vehicle has been reported
34 to a police department as stolen prior to the time the
35 violation occurred and had not been recovered prior to that
36 time.

37 (3) It shall be a defense to a violation under this
38 section that the person receiving the notice of violation was
39 not the owner of the vehicle at the time of the offense.

40 (g) Department approval.--No automated red light enforcement
41 system may be used without the approval of the department, which
42 shall have the authority to promulgate regulations for the
43 certification and use of such systems.

44 (h) Duty of city.--If a city of the first class elects to
45 implement this section, the following provisions shall apply:

46 (1) The city may not use an automated red light
47 enforcement system unless there is posted an appropriate sign
48 in a conspicuous place before the area in which the automated
49 red light enforcement device is to be used notifying the
50 public that an automated red light enforcement device is in
51 use immediately ahead.

52 (2) The city shall designate or appoint the Philadelphia
53 Parking Authority as the system administrator to supervise
54 and coordinate the administration of notices of violation
55 issued under this section.

56 (3) The system administrator shall prepare a notice of
57 violation to the registered owner of a vehicle identified in
58 a [photograph] recorded image produced by an automated red
59 light enforcement system as evidence of a violation of

1 section 3112(a)(3). The issuance of the notice of violation
2 must be done by a police officer employed by the police
3 department with primary jurisdiction over the area where the
4 violation occurred. The notice of violation shall have
5 attached to it a copy of the recorded image showing the
6 vehicle; the registration number and state of issuance of the
7 vehicle registration; the date, time and place of the alleged
8 violation; that the violation charged is under section
9 3112(a)(3); and instructions for return of the notice of
10 violation. The text of the notice must be as follows:

11 This notice shall be returned personally, by mail or by
12 an agent duly authorized in writing, within 30 days of
13 issuance. A hearing may be obtained upon the written
14 request of the registered owner.

15 (i) System administrator.--

16 (1) The system administrator may hire and designate
17 personnel as necessary or contract for services to implement
18 this section.

19 (2) The system administrator shall process fines [under
20 subsection (1)] issued pursuant to this section.

21 (3) The system administrator shall [file] submit an
22 annual report to the chairman and the minority chairman of
23 the Transportation Committee of the Senate and the chairman
24 and minority chairman of the Transportation Committee of the
25 House of Representatives. The report shall include for the
26 prior year:

27 (i) The number of violations and fines issued.

28 (ii) A compilation of fines paid and outstanding.

29 (iii) The amount of money paid to a vendor or
30 manufacturer under this section.

31 (j) Notice to owner.--In the case of a violation involving a
32 motor vehicle registered under the laws of this Commonwealth,
33 the notice of violation must be mailed within 30 days after the
34 commission of the violation or within 30 days after the
35 discovery of the identity of the registered owner, whichever is
36 later, and not thereafter to the address of the registered owner
37 as listed in the records of the department. In the case of motor
38 vehicles registered in jurisdictions other than this
39 Commonwealth, the notice of violation must be mailed within 30
40 days after the discovery of the identity of the registered
41 owner, [whichever is later,] and not thereafter to the address
42 of the registered owner as listed in the records of the official
43 in the jurisdiction having charge of the registration of the
44 vehicle. A notice of violation under this section must be
45 provided to an owner within 90 days of the commission of the
46 offense.

47 (k) Mailing of notice and records.--Notice of violation must
48 be sent by first class mail. A manual or automatic record of
49 mailing prepared by the system administrator in the ordinary
50 course of business shall be prima facie evidence of mailing and
51 shall be admissible in any judicial or administrative proceeding
52 as to the facts contained in it.

53 (l) Payment of fine.--

54 (1) An owner to whom a notice of violation has been
55 issued may admit responsibility for the violation and pay the
56 fine provided in the notice.

57 (2) Payment must be made personally, through an
58 authorized agent or by mailing both payment and the notice of
59 violation to the system administrator. Payment by mail must

1 be made only by money order, credit card or check made
2 payable to the system administrator. The system administrator
3 shall remit the fine, less the system administrator's
4 operation and maintenance costs necessitated by this section,
5 to the department for deposit into the Motor License Fund.
6 Fines deposited in the fund under this paragraph shall be
7 used by the department to develop, by regulation, a
8 Transportation Enhancements Grant Program.

9 (3) Payment of the established fine and applicable
10 penalties shall operate as a final disposition of the case.

11 (m) Hearing.--

12 (1) An owner to whom a notice of violation has been
13 issued may, within 30 days of the mailing of the notice,
14 request a hearing to contest the liability alleged in the
15 notice. A hearing request must be made by appearing before
16 the system administrator during regular office hours either
17 personally or by an authorized agent or by mailing a request
18 in writing.

19 (2) Upon receipt of a hearing request, the system
20 administrator shall in a timely manner schedule the matter
21 before a hearing officer. The hearing officer shall be
22 designated by the city of the first class. Written notice of
23 the date, time and place of hearing must be sent by first
24 class mail to the owner.

25 (3) The hearing shall be informal; the rules of evidence
26 shall not apply; and the decision of the hearing officer
27 shall be final, subject to the right of the owner to appeal
28 the decision to the traffic court.

29 (4) If the owner requests in writing that the decision
30 of the hearing officer be appealed to the traffic court, the
31 system administrator shall file the notice of violation and
32 supporting documents with the traffic court, which shall hear
33 and decide the matter de novo.

34 (n) Compensation to manufacturer or vendor.--If a city of
35 the first class has established an automated red light
36 enforcement system deployed as a means of promoting traffic
37 safety and the enforcement of the traffic laws of this
38 Commonwealth or the city, the compensation paid to the
39 manufacturer or vendor of the automated red light enforcement
40 system may not be based upon the number of traffic citations
41 issued or a portion or percentage of the fine generated by the
42 citations. The compensation paid to the manufacturer or vendor
43 of the equipment shall be based upon the value of the equipment
44 and the services provided or rendered in support of the
45 automated red light enforcement system.

46 (o) Duration of yellow light change interval.--The duration
47 of the yellow light change interval at intersections where
48 automated red light enforcement systems are in use shall conform
49 to the yellow light change interval duration specified on the
50 traffic signal permit issued by the department or the first
51 class city.

52 (p) Revenue limitation.--A city of the first class may not
53 collect an amount equal to or greater than 5% of its annual
54 budget from the collection of revenue from the issuance and
55 payment of violations under this section.

56 (q) Expiration.--This section shall expire December 31,
57 [2007] 2011.

58 Amend Bill, page 4, by inserting between lines 23 and 24

1 Section 5. Section 4307 of Title 75 is amended by adding
2 subsections to read:

3 4307. Use and display of illuminated signs.

4 * * *

5 (f) Food delivery vehicle.--A food delivery vehicle may
6 display an illuminated sign which shall be of a department-
7 approved size and type designed not to interfere with or unduly
8 distract the drivers of other vehicles on the highway. The
9 department shall promulgate regulations setting forth the size,
10 type and placement of signs approved for use under this
11 subsection.

12 (g) Definition.--As used in this section, the term "food
13 delivery vehicle" means a vehicle engaged in the transportation
14 or conveyance of food products or items from their place of
15 origin or production to a place of delivery, which vehicle may
16 make intermittent stops that are customary in the routine
17 conduct of the business for which the transportation occurs.

18 Amend Sec. 3, page 4, line 24, by striking out all of said
19 lines and inserting

20 Section 6. This act shall take effect as follows:

21 (1) The following provisions shall take effect
22 immediately:

23 (i) The amendment of 75 Pa.C.S. 3116.

24 (ii) This section.

25 (2) The remainder of this act shall take effect in 60
26 days.