

AMENDMENTS TO SENATE BILL NO. 382

Sponsor: SENATOR LANGERHOLC

Printer's No. 309

1 Amend Bill, page 2, line 7, by inserting a bracket before
2 "the"

3 Amend Bill, page 2, line 7, by inserting a bracket after
4 "following"

5 Amend Bill, page 2, line 7, by striking out the bracket
6 before "transportation-related"

7 Amend Bill, page 2, line 7, by striking out the bracket after
8 "services" and inserting

9 .[

10 Amend Bill, page 2, line 17, by inserting a bracket after
11 "Financing."

12 Amend Bill, page 2, lines 19 through 23, by striking out all
13 of said lines and inserting

14 "Transportation-related service." Only the following
15 services:

16 (1) Operations and maintenance.

17 (2) Revenue collection.

18 (3) User fee collection or enforcement.

19 (4) Design.

20 (5) Construction.

21 (6) Development and other activities with respect to
22 existing or new transportation facilities that enhance
23 traffic throughput, reduce congestion, improve safety or
24 otherwise manage or improve a transportation facility.

25 (7) Financing.

26 Amend Bill, page 2, lines 24 and 25, by striking out all of
27 said lines and inserting

1 Section 2. Section 9104(a)(2) and (4) and (c) of Title 74
2 are amended to read:

3 Amend Bill, page 2, by inserting between lines 28 and 29

4 (2) Adopt guidelines establishing the procedure by which
5 a public entity may submit a request for a proposed
6 transportation project or a private entity may submit an
7 unsolicited plan for a proposed transportation project to the
8 board.

9 * * *

10 Amend Bill, page 2, line 30, by inserting after "for"

11 proposed

12 Amend Bill, page 3, line 2, by inserting after "for"

13 proposed

14 Amend Bill, page 3, line 29, by inserting after "a" where it
15 occurs the second time

16 proposed

17 Amend Bill, page 3, line 30, by inserting after "to"

18 requesting

19 Amend Bill, page 4, line 6, by inserting after "the"

20 proposed

21 Amend Bill, page 4, line 11, by inserting after "the"

22 proposed

23 Amend Bill, page 4, lines 12 through 15, by striking out all
24 of said lines and inserting

25 (vi) If the proposed transportation project requires
26 a user fee, include the estimated amount for each user
27 group and type of user fee as described under section
28 9110(f) (relating to public-private transportation
29 partnership agreement).

30 Amend Bill, page 4, by inserting between lines 16 and 17

31 (viii) Alternative courses of action to improve the
32 transportation facility or transportation-related service
33 without a public-private transportation partnership and
34 the associated risks of improving the transportation
35 facility or transportation-related service with a public-
36 private transportation partnership.

37 Amend Bill, page 4, line 28, by striking out all of said line

1 and inserting

2 (b.1) Public input.--The following shall apply:

3 (1) The department shall collect comments

4 Amend Bill, page 5, lines 3 and 4, by striking out "the
5 results" and inserting

6 all submitted comments and a summary as provided under
7 paragraph (2)

8 Amend Bill, page 5, line 5, by striking out "submit the
9 results" and inserting

10 provide the submitted comments and summary

11 Amend Bill, page 5, by inserting between lines 8 and 9

12 (2) The summary under paragraph (1) shall include a
13 description of the proposed transportation project, a copy of
14 the notice that was published in the Pennsylvania Bulletin,
15 the time period that the public was allowed to provide input,
16 an overview of how the department equitably solicited input
17 from persons affected by the proposed transportation project
18 and a chart or graph that accurately portrays all submitted
19 comments, including the positive and negative public input,
20 on the proposed transportation project.

21 Amend Bill, page 5, line 11, by inserting after "the" where
22 it occurs the second time

23 proposed

24 Amend Bill, page 5, line 12, by inserting after "the" where
25 it occurs the third time

26 proposed

27 Amend Bill, page 5, line 13, by inserting after "project"

28 in the form of a resolution

29 Amend Bill, page 5, lines 14 and 15, by striking out "The
30 board shall approve a proposed transportation" in line 14 and
31 all of line 15 and inserting

32 Approval of a proposed transportation project with or
33 without a user fee shall be in the form of a resolution
34 signed by the chairperson of the board.

35 Amend Bill, page 5, lines 26 through 30; pages 6 and 7, lines

1 1 through 30; page 8, lines 1 through 11; by striking out all of
2 said lines on said pages and inserting

3 (b.3) Transportation projects with a user fee.--The
4 following shall apply for a proposed transportation project with
5 a user fee:

6 (1) No later than five calendar days after the
7 resolution is published in the Pennsylvania Bulletin, the
8 department shall transmit the resolution to the Governor. The
9 Governor shall have 10 calendar days to approve or disapprove
10 the resolution. If no action is taken on the resolution by
11 the Governor within 10 calendar days of receipt of the
12 resolution, the resolution shall be deemed approved. If the
13 Governor approves the resolution or fails to act, the
14 Governor shall, within 10 calendar days, transmit the
15 resolution to the Secretary of the Senate and the Chief Clerk
16 of the House of Representatives for consideration by the
17 General Assembly. If the Governor disapproves the resolution,
18 the objections of the Governor disapproving the resolution
19 shall be transmitted to the department within 10 calendar
20 days.

21 (2) If no action is taken on the resolution by the
22 General Assembly within 20 calendar days or 10 legislative
23 days, whichever is later, of receipt of the resolution from
24 the Governor by both the Secretary of the Senate and the
25 Chief Clerk of the House of Representatives, five members of
26 the Senate or 25 members of the House of Representatives may
27 petition their respective presiding officer to schedule a
28 vote on the resolution. The vote shall be scheduled to occur
29 within 10 calendar days or five legislative days, whichever
30 is later, of the presentation of the petition. Each chamber
31 shall have 20 calendar days or 10 legislative days, whichever
32 is later, to independently pass the resolution. The
33 resolution shall be disapproved unless both chambers pass the
34 resolution within the time period provided under this
35 paragraph. If the General Assembly disapproves the
36 resolution, the objections of the General Assembly
37 disapproving the resolution shall be transmitted by the
38 presiding officer of each chamber to the department within 10
39 calendar days. If the General Assembly approves the
40 resolution, the public entity may proceed with the public-
41 private transportation partnership agreement.

42 (3) If the Governor or the General Assembly disapproves
43 a resolution as provided under this subsection, the
44 department may, upon receiving approval from the board,
45 submit an amended resolution under paragraph (1). The
46 department may only submit one amended resolution. If the
47 amended resolution is disapproved, the approval process shall
48 start over again as provided under this chapter.

49 (4) If a time period under paragraph (2) expires after a

1 session of the General Assembly adjourns sine die, the
2 department shall reinitiate the process under paragraph (1)
3 starting on the first day of the succeeding session of the
4 General Assembly, except that the department shall not be
5 required to republish the resolution in the Pennsylvania
6 Bulletin.

7 (b.4) Transportation projects without a user fee.--The
8 following shall apply for a proposed transportation project
9 without a user fee:

10 (1) No later than five calendar days after the
11 resolution is published in the Pennsylvania Bulletin, the
12 department shall transmit the resolution to the Governor. The
13 Governor shall have 10 calendar days to approve or disapprove
14 the resolution. If no action is taken on the resolution by
15 the Governor within 10 calendar days of receipt of the
16 resolution, the resolution shall be deemed approved. If the
17 Governor approves the resolution or fails to act, the
18 Governor shall, within 10 calendar days, transmit the
19 resolution to the Secretary of the Senate and the Chief Clerk
20 of the House of Representatives for consideration by the
21 General Assembly. If the Governor disapproves the resolution,
22 the objections of the Governor disapproving the resolution
23 shall be transmitted to the department within 10 calendar
24 days.

25 (2) If no action is taken on the resolution by the
26 General Assembly within 20 calendar days or 10 legislative
27 days, whichever is later, of receipt of the resolution from
28 the Governor by both the Secretary of the Senate and the
29 Chief Clerk of the House of Representatives, five members of
30 the Senate or 25 members of the House of Representatives may
31 petition their respective presiding officer to schedule a
32 vote on the resolution. The vote shall be scheduled to occur
33 within 10 calendar days or five legislative days, whichever
34 is later, of the presentation of the petition. Each chamber
35 shall have 20 calendar days or 10 legislative days, whichever
36 is later, to independently pass the resolution. The
37 resolution shall be deemed approved unless both chambers vote
38 to disapprove the resolution in the time period under this
39 paragraph. If the General Assembly disapproves the
40 resolution, the objections of the General Assembly
41 disapproving the resolution shall be transmitted by the
42 presiding officer of each chamber to the department within 10
43 calendar days. If the General Assembly approves the
44 resolution, the public entity may proceed with the public-
45 private transportation partnership agreement.

46 (3) If the Governor or the General Assembly disapproves
47 a resolution as provided under this subsection, the
48 department may, upon receiving approval from the board,
49 submit an amended resolution under paragraph (1). The
50 department may only submit one amended resolution. If the
51 amended resolution is disapproved, the approval process shall

1 start over again as provided under this chapter.
2 (4) If a time period under paragraph (2) expires after a
3 session of the General Assembly adjourns sine die, the
4 department shall reinitiate the process under paragraph (1)
5 starting on the first day of the succeeding session of the
6 General Assembly, except that the department shall not be
7 required to republish the resolution in the Pennsylvania
8 Bulletin.