

AMENDMENTS TO HOUSE BILL NO. 1284

Sponsor: REPRESENTATIVE HOHENSTEIN

Printer's No. 1400

1 Amend Bill, page 1, line 3, by striking out "for meeting or
2 overtaking school bus,"

3 Amend Bill, page 1, lines 4 and 5, by striking out ", for
4 automated speed enforcement systems in active work zones"

5 Amend Bill, page 1, lines 12 through 21; page 2, lines 1
6 through 18; by striking out all of said lines on said pages and
7 inserting

8 Section 1. Sections 3345.1 and 3370 heading, (a), (b), (d)
9 (2), (j)(3) introductory paragraph, (n)(2) and (q) of Title 75
10 of the Pennsylvania Consolidated Statutes are amended to read:

11 Amend Bill, page 3, line 6, by inserting after "(f)."

12 For the purposes of this section, the lessee of a motor
13 vehicle shall be considered the owner of a leased vehicle.

14 Amend Bill, page 8, lines 7 through 9, by striking out "The
15 school entity may not require the owner of the" in line 7 and
16 all of lines 8 and 9 and inserting

17 The owner of the motor vehicle may not be required to
18 disclose the identity of the operator of the motor vehicle at
19 the time of the violation.

20 Amend Bill, page 8, by inserting between lines 21 and 22

21 (6) It shall be a defense to a violation under this
22 section that the device being used under this section was not
23 in compliance with the department's regulations with respect
24 to testing for accuracy, certification or calibration.

25 Amend Bill, page 9, by inserting between lines 12 and 13

26 (4) Compensation under an agreement authorized by this
27 section shall not require a minimum or maximum number of

1 violations to be issued that would impact the compensation to
2 the system administrator.

3 (5) The school entity, or the system administrator on
4 the school entity's behalf, shall provide notice through a
5 publicly accessible Internet website that provides program
6 information, number of equipped systems, program questions
7 and system administrator processing information. The notice
8 on the website shall remain publicly accessible throughout
9 the period of use. If the system administrator is providing
10 the notice on the school entity's behalf, the notice must
11 identify the school entity.

12 (6) The school entity, or the system administrator on
13 the school entity's behalf, shall establish an electronic
14 system where all violations can be viewed by the primary
15 police department and the hearing officer as specified in
16 subsection (e).

17 (7) The department may audit a school entity or system
18 administrator to ensure compliance with this section as
19 determined by the department.

20 Amend Bill, page 10, by inserting between lines 3 and 4

21 (4) Not later than July 1 annually, the school entity,
22 or the system administrator on the school entity's behalf,
23 shall submit a report to the department and the Pennsylvania
24 State Police for the preceding calendar year. The information
25 shall be compiled by the department and the Pennsylvania
26 State Police into a report to be jointly submitted to the
27 chairperson and minority chairperson of the Transportation
28 Committee of the Senate and the chairperson and minority
29 chairperson of the Transportation Committee of the House of
30 Representatives by no later than December 31 annually. The
31 report shall be a public record under the Right-to-Know Law
32 and include:

33 (i) The name of the system administrator.

34 (ii) The number of school buses equipped with a side
35 stop signal arm enforcement system.

36 (iii) The number of notices of violation issued.

37 (iv) The amount of fines imposed and collected.

38 (v) The amounts paid under agreements authorized by
39 this section for program operations and maintenance.

40 (vi) Identification and results of contested
41 violations.

42 (vii) Use of additional revenue funds from the
43 program.

44 Amend Bill, page 15, lines 7 and 8, by striking out all of
45 line 7 and "administrator on the school entity's behalf," in
46 line 8

1 Amend Bill, page 15, line 10, by inserting after "form"

2 or electronically

3 Amend Bill, page 16, line 2, by inserting after "novo."

4 A magisterial district judge shall be restricted to
5 finding an owner liable or not liable for violating this
6 section, and shall not assign damages to an owner or
7 otherwise impose penalties on primary police departments,
8 police officers, school entities or system administrators.

9 Amend Bill, page 20, lines 22 through 30; pages 21 through
10 25, lines 1 through 30; page 26, lines 1 through 9; by striking
11 out all of said lines on said pages

12 Amend Bill, page 27, lines 17 through 30; page 28, lines 1
13 and 2; by striking out all of said lines on said pages and
14 inserting

15 (iii) Prior to passage of the ordinance under
16 subsection (a), the governing body of a city of the first
17 class gave public notice of the governing body's intent
18 to adopt the ordinance and conducted at least one
19 opportunity for public comment regarding the proposed
20 adoption of the ordinance. The requirement under this
21 subparagraph shall not apply to an automated speed
22 enforcement system in a city of the first class
23 authorized prior to the effective date of this
24 subparagraph.

25 * * *

26 (j) System administrator.--The following shall apply:

27 * * *

28 (3) Not later than [April] September 1 annually, the
29 system administrator shall submit an annual report to the
30 chairperson and the minority chairperson of the
31 Transportation Committee of the Senate and the chairperson
32 and minority chairperson of the Transportation Committee of
33 the House of Representatives. The report shall be considered
34 a public record under the Right-to-Know Law and include for
35 the prior year:

36 * * *

37 Amend Bill, page 30, by inserting between lines 7 and 8

38 (iv) Prior to passage of the ordinance under
39 subsection (a), the governing body of a city of the first
40 class gave public notice of the governing body's intent
41 to adopt the ordinance and conducted at least one
42 opportunity for public comment regarding the proposed

1 adoption of the ordinance.

2 Amend Bill, page 35, line 24, by striking out "April" and
3 inserting

4 September

5 Amend Bill, page 39, lines 26 and 27, by striking out "The
6 amendment of 75 Pa.C.S. § 3369(k).

7 (ii) "

8 Amend Bill, page 39, line 28, by striking out "(iii)" and
9 inserting

10 (ii)

11 Amend Bill, page 39, line 29, by striking out "(iv)" and
12 inserting

13 (iii)