THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1486 Session of 2021

INTRODUCED BY O’NEAL, RYAN, HENNESSEY, PICKETT, KAUFFMAN, POLINCHOCK, HEFFLEY, McNEILL, R. BROWN, LEWIS, THOMAS, FREEMAN, SAINATO, STAATS, OWLETT, SCHLEGEL CULVER, PENNYCUICK, KULIK, T. DAVIS, HAMM, WEBSTER, SCHMITT, MILLARD, MOUL, DRISCOLL, NEILSON, ROWE, ROZZI, CIRESI, O’MARA, GILLEN AND DELLOSO, MAY 25, 2021

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, OCTOBER 25, 2022

AN ACT

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for Blue Star Family plate.

AMENDING TITLES 74 (TRANSPORTATION) AND 75 (VEHICLES) OF THE PENNSYLVANIA CONSOLIDATED STATUTES, IN TURNPIKE, FURTHER PROVIDING FOR DEFINITIONS, FOR ELECTRONIC TOLL COLLECTION AND FOR ANNUAL HEARING; IN REGISTRATION OF VEHICLES, PROVIDING FOR CONTRIBUTIONS FOR THE PREVENTION OF CHILD ABUSE AND NEGLECT, FURTHER PROVIDING FOR DISPLAY OF REGISTRATION PLATE, PROVIDING FOR POLLINATOR CONSERVATION REGISTRATION PLATE, FOR AFGHANISTAN AND IRAQ VETERANS PLATE AND FOR BLUE STAR FAMILY PLATE AND FURTHER PROVIDING FOR SUSPENSION OF REGISTRATION UPON UNPAID TOLLS; IN FEES, FURTHER PROVIDING FOR PAYMENTS TO SPECIAL FUNDS AND ESTABLISHING THE POLLINATOR HABITAT PROGRAM FUND; AND, IN POWERS OF DEPARTMENT AND LOCAL AUTHORITIES, FURTHER PROVIDING FOR PROVISIONS RELATING TO FARE EVASION.

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

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

SECTION 1. THE DEFINITIONS OF "ELECTRONIC TOLL COLLECTION" AND "VIOLATION ENFORCEMENT SYSTEM" IN SECTION 8102 OF TITLE 74
OF THE PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED AND THE
SECTION IS AMENDED BY ADDING DEFINITIONS TO READ:
§ 8102. DEFINITIONS.
THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
CONTEXT CLEARLY INDICATES OTHERWISE:
* * *
"ELECTRONIC TOLL COLLECTION." A SYSTEM OF COLLECTING TOLLS
OR CHARGES THAT IS CAPABLE OF CHARGING AN ACCOUNT HOLDER OR A
REGISTERED VEHICLE OWNER FOR THE PRESCRIBED TOLL [BY ELECTRONIC
TRANSMISSION OF INFORMATION BETWEEN A DEVICE ON A VEHICLE AND A
DEVICE IN A TOLL LANE AT A TOLL COLLECTION FACILITY.] BASED ON
THE AUTOMATIC IDENTIFICATION AND CLASSIFICATION OF VEHICLES
USING ELECTRONIC SYSTEMS. THE TERM INCLUDES A SYSTEM OF OPEN
ROAD TOLLS, VIDEO TOLLS OR OTHER SIMILAR STRUCTURAL OR
TECHNOLOGICAL ENHANCEMENTS PERTAINING TO TOLLS.
"ELECTRONIC TOLL COLLECTION DEVICE." A PIECE OF MECHANICAL
OR ELECTRICAL EQUIPMENT USED FOR ELECTRONIC TOLL COLLECTION.
"FLAT VIDEO TOLL." A TOLL RATE THAT DOES NOT VARY BASED ON A
VIDEO IMAGE WHICH IS CHARGED TO AN ACCOUNT WHEN THE COMMISSION
IS ABLE TO MATCH A LICENSE PLATE IMAGE TO AN ACCOUNT IN GOOD
STANDING.
* * *
"TOLL COLLECTION SYSTEM." A VEHICLE SENSOR, PLACED IN A
LOCATION TO WORK IN CONJUNCTION WITH A TOLL COLLECTION FACILITY,
WHICH AUTOMATICALLY PRODUCES A VIDEOTAPE OR PHOTOGRAPH,
MICROPHOTOGRAPH OR OTHER RECORDED IMAGE OF A VEHICLE, AT THE
TIME THE VEHICLE TRAVELS THROUGH A TOLLING POINT. THE TERM
INCLUDES ANY OTHER TECHNOLOGY WHICH IDENTIFIES A VEHICLE BY
PHOTOGRAPHIC, MECHANICAL, ELECTRONIC OR OTHER METHOD.
"VIDEO TOLL." A TOLL BASED ON A VEHICLE'S LICENSE PLATE IMAGE WHEN A VALID ELECTRONIC TOLL COLLECTION DEVICE IS NOT READ AS THE VEHICLE TRAVELS THROUGH A TOLLING POINT.

["VIOLATION ENFORCEMENT SYSTEM." A VEHICLE SENSOR, PLACED IN A LOCATION TO WORK IN CONJUNCTION WITH A TOLL COLLECTION FACILITY, WHICH AUTOMATICALLY PRODUCES A VIDEOTAPE OR PHOTOGRAPH, MICROPHOTOGRAPH OR OTHER RECORDED IMAGE OF THE REAR PORTION OF EACH VEHICLE AT THE TIME THE VEHICLE IS USED OR OPERATED IN VIOLATION OF THE TOLL COLLECTION REGULATIONS. THE TERM INCLUDES ANY OTHER TECHNOLOGY WHICH IDENTIFIES A VEHICLE BY PHOTOGRAPHIC, ELECTRONIC OR OTHER METHOD.]

SECTION 2. SECTION 8117(A), (B) AND (D) OF TITLE 74 ARE AMENDED AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

§ 8117. ELECTRONIC TOLL COLLECTION.

(A) LIABILITY OF OWNER.--

(1) IF AN OPERATOR OF A VEHICLE FAILS TO PAY THE PRESCRIBED TOLL AT ANY LOCATION WHERE TOLLS ARE COLLECTED BY MEANS OF ELECTRONIC TOLL COLLECTION, THE OWNER OF THE VEHICLE SHALL BE LIABLE TO THE COMMISSION FOR FAILURE OF THE OPERATOR OF THE VEHICLE TO COMPLY WITH THIS SECTION IF THE VIOLATION IS EVIDENCED BY INFORMATION OBTAINED FROM A [VIOLATION ENFORCEMENT] TOLL COLLECTION SYSTEM.

THE FOLLOWING:

(I) TESTIFIES THAT THE OWNER WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION.

(II) SUBMITS TO AN EXAMINATION AS TO WHO AT THE TIME WAS OPERATING THE VEHICLE.

(III) REVEALS THE NAME AND RESIDENCE ADDRESS, IF KNOWN, TRAVEL; AND

(IV) THE NAME AND RESIDENCE ADDRESS OF THE OPERATOR OF THE VEHICLE AT THE TIME OF TRAVEL.

(3) IF AN ACTION OR PROCEEDING IS COMMENCED IN A COUNTY OTHER THAN THAT OF THE RESIDENCE OF THE OWNER, A VERIFIED WRITTEN STATEMENT SETTING FORTH THE FACTS PRESCRIBED UNDER PARAGRAPH (2)(I), (II) AND (III) SHALL SUFFICE TO OVERCOME THE INFERENCE. FAILURE TO SEND THE REQUIRED INFORMATION WITHIN 30 DAYS OF THE ORIGINAL INVOICE DATE SHALL RESULT IN THE OWNER BEING LIABLE FOR THE TOTAL AMOUNT DUE.


(B) IMPOSITION OF LIABILITY.--LIABILITY UNDER THIS SECTION SHALL BE IMPOSED UPON AN OWNER FOR A VIOLATION OF FAILURE TO PAY THE PRESCRIBED TOLL CHARGES ASSESSED UNDER THIS SECTION OR THE REGULATIONS OF THE COMMISSION OCCURRING WITHIN THE TERRITORIAL LIMITS OF THIS COMMONWEALTH. IF A VIOLATION IS COMMITTED AS EVIDENCED BY A VIOLATION ENFORCEMENT BASED ON EVIDENCE OBTAINED BY A TOLL COLLECTION SYSTEM, THE FOLLOWING SHALL APPLY:

(1) THE COMMISSION OR AN AUTHORIZED AGENT OR EMPLOYEE MUST PREPARE AND MAIL A NOTICE OF VIOLATION AN INVOICE
ASSESSING THE TOLL CHARGES INCURRED AS FOLLOWS:

(I) THE [NOTICE OF VIOLATION] INVOICE MUST BE SENT BY FIRST CLASS MAIL TO EACH PERSON ALLEGED TO BE LIABLE AS AN OWNER [FOR A VIOLATION OF THIS SECTION].

(II) THE [NOTICE] INVOICE MUST BE MAILED AT THE ADDRESS SHOWN ON THE VEHICLE REGISTRATION OR AT THE ADDRESS OF THE OPERATOR, AS APPLICABLE. [NOTICE] THE INVOICE MUST BE MAILED NO LATER THAN 60 DAYS AFTER:

(A) THE [ALLEGED CONDUCT] DATE OF TRAVEL; OR

(B) THE DATE THE INFERENCE IS OVERCOME UNDER SUBSECTION (A)(2).

(III) PERSONAL SERVICE IS NOT REQUIRED.

(IV) THE [NOTICE] INVOICE MUST CONTAIN ALL OF THE FOLLOWING:

(A) INFORMATION ADVISING THE PERSON CHARGED OF THE MANNER AND TIME IN WHICH THE [LIABILITY ALLEGED] TOLL CHARGES IN THE [NOTICE] INVOICE MAY BE CONTESTED.

(B) A WARNING ADVISING THE PERSON CHARGED THAT FAILURE TO CONTEST THE INVOICE IN THE MANNER AND TIME PROVIDED SHALL BE DEEMED AN ADMISSION OF LIABILITY [AND THAT A DEFAULT JUDGMENT MAY BE ENTERED ON THE NOTICE] FOR THE TOTAL AMOUNT DUE.

(1.1) A MANUAL OR AUTOMATIC RECORD OF MAILING PREPARED IN THE ORDINARY COURSE OF BUSINESS SHALL BE PRIMA FACIE EVIDENCE OF THE MAILING OF [NOTICE] THE INVOICE.

(1.2) IF MAIL, OTHER THAN UNCLAIMED MAIL, IS RETURNED UNDELIVERED, THE COMMISSION MAY OBTAIN ADDRESS INFORMATION FROM SOURCES, SUCH AS THE UNITED STATES POSTAL SERVICE, DEBT COLLECTION SERVICES, REVIEWS OF TELEPHONE DIRECTORIES OR
RELATED SKIP-TRACING PRACTICES, TO LOCATE AN ALTERNATIVE
ADDRESS FOR THE VEHICLE OWNER OR THE ADDRESS OF THE OPERATOR,
AS APPLICABLE.

(2) IF AN OWNER OF A VEHICLE OR AN OWNER THAT IS A
LESSOR OF A VEHICLE RECEIVES [A NOTICE OF VIOLATION] AN
INVOICE UNDER THIS SECTION FOR ANY TIME PERIOD DURING WHICH
THE VEHICLE WAS REPORTED TO A POLICE DEPARTMENT AS HAVING
BEEN STOLEN, IT SHALL BE A DEFENSE TO THE ALLEGATION OF
LIABILITY THAT THE VEHICLE HAD BEEN REPORTED TO THE POLICE AS
HAVING BEEN STOLEN PRIOR TO THE TIME THE [VIOLATION] TRAVEL
OCCURRED AND THAT THE VEHICLE HAD NOT BEEN RECOVERED BY THE
TIME OF THE [VIOLATION] TRAVEL. FOR PURPOSES OF ASSERTING THE
DEFENSE UNDER THIS PARAGRAPH, IT SHALL BE SUFFICIENT THAT A
CERTIFIED COPY OF THE POLICE REPORT ON THE STOLEN VEHICLE BE
SENT BY FIRST CLASS MAIL TO THE COMMISSION WITHIN 30 DAYS
AFTER RECEIVING THE ORIGINAL [NOTICE OF VIOLATION] INVOICE.
FAILURE TO SEND THE INFORMATION WITHIN THE TIME LIMIT UNDER
THIS PARAGRAPH SHALL RENDER THE OWNER OR LESSOR LIABLE FOR
THE [PENALTY] TOLLS AND FEES ASSESSED IN THE INVOICE AS
PRESCRIBED BY THIS SECTION.

(3) AN OWNER THAT IS A LESSOR OF A VEHICLE AS TO WHICH
[A NOTICE OF VIOLATION] AN INVOICE WAS ISSUED UNDER PARAGRAPH
(1) SHALL NOT BE LIABLE FOR [A VIOLATION] TOLLS ASSESSED IN
THE INVOICE IF THE OWNER SENDS TO THE COMMISSION A COPY OF
THE RENTAL, LEASE OR OTHER CONTRACT DOCUMENT COVERING THE
VEHICLE ON THE DATE OF [THE VIOLATION] TRAVEL, WITH THE NAME
AND ADDRESS OF THE LESSEE CLEARLY LEGIBLE TO THE COMMISSION,
WITHIN 30 DAYS AFTER RECEIVING THE ORIGINAL [NOTICE OF
VIOLATION] INVOICE. FAILURE TO SEND THE INFORMATION WITHIN
THE TIME LIMIT UNDER THIS PARAGRAPH SHALL RENDER THE LESSOR
Liable for the [penalty] tolls and fees assessed in the invoice as prescribed by this section. If the lessor complies with the provisions of this section, the lessee of the vehicle on the date of [the violation] travel shall be deemed to be the owner of the vehicle for purposes of this section and shall be subject to liability for the [penalty] tolls and fees assessed in the invoice under this section.

(4) A certified report or a facsimile report of an authorized agent or employee of the commission reporting a violation of this section or regulations of the commission based upon the recorded information obtained from a [violation enforcement] toll collection system shall be prima facie evidence of the facts contained in the report and shall be admissible as an official record kept in the ordinary course of business in any proceeding charging a violation of this section or the toll collection regulations of the commission.

(5) Notwithstanding any other provision of law, videotapes, photographs, microphotographs, other recorded images, written records, reports or facsimiles prepared pursuant to this section shall be for the exclusive use of the commission, its authorized agents, its employees and law enforcement officials for the purpose of discharging duties under this section and the regulations of the commission. 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] February 14, 2008 (P.L.6, No.3), known 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, THE
REGULATIONS OF THE COMMISSION OR INDEMNIFICATION FOR
LIABILITY IMPOSED PURSUANT TO THIS SECTION. THE RESTRICTIONS
SET FORTH IN THIS PARAGRAPH:

   (I) 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;

   (II) SHALL NOT BE DEEMED TO PRECLUDE THE EXCHANGE OF
THE INFORMATION BETWEEN ANY ENTITIES WITH JURISDICTION
OVER OR WHICH OPERATE AN ELECTRONIC TOLL COLLECTION
SYSTEM IN THIS COMMONWEALTH OR ANY OTHER JURISDICTION;
AND

   (III) SHALL NOT BE DEEMED TO PROHIBIT THE USE OF
INFORMATION EXCLUSIVELY FOR THE PURPOSE OF BILLING
ELECTRONIC TOLL COLLECTION ACCOUNTS, DEDUCTING TOLL CHARGES FROM THE ACCOUNT OF AN ACCOUNT
HOLDER ACCOUNTS, ENFORCING TOLL COLLECTION LAWS AND
RELATED REGULATIONS OR ENFORCING THE PROVISIONS OF AN
ACCOUNT HOLDER AGREEMENT ACCOUNTS.

(6) AN IMPOSITION OF LIABILITY UNDER THIS SECTION MUST
BE BASED UPON A PREPONDERANCE OF EVIDENCE.

(7) AN IMPOSITION OF LIABILITY PURSUANT TO THIS SECTION
SHALL NOT BE DEEMED A CONVICTION OF AN OWNER AND SHALL NOT BE
MADE PART OF THE MOTOR VEHICLE OPERATING RECORD OF THE PERSON
UPON WHOM THE LIABILITY IS IMPOSED, NOR SHALL IT BE
CONSIDERED IN THE PROVISION OF MOTOR VEHICLE INSURANCE
COVERAGE.
(8) AN OWNER THAT ADMITS, IS FOUND LIABLE OR FAILS TO
[RESPOND TO THE NOTICE OF VIOLATION FOR] PAY THE INVOICE
RESULTING IN A VIOLATION OF THIS SECTION SHALL BE CIVILLY
LIABLE TO THE COMMISSION FOR ALL OF THE FOLLOWING:

(I) EITHER:

(A) THE AMOUNT OF THE TOLL EVADED OR ATTEMPTED
TO BE EVADED IF THE AMOUNT CAN BE DETERMINED; OR

(B) THE MAXIMUM TOLL FROM THE FARTHEST POINT OF
ENTRY ON THE PENNSYLVANIA TURNPIKE TO THE ACTUAL
POINT OF EXIT IF THE AMOUNT OF THE TOLL EVADED OR
ATTEMPTED TO BE EVADED CANNOT BE DETERMINED.

(II) A REASONABLE ADMINISTRATIVE FEE NOT TO EXCEED
$35 PER NOTIFICATION.

(9) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT
THE LIABILITY OF THE OPERATOR OF A VEHICLE FOR A VIOLATION OF
THIS SECTION OR OF THE REGULATIONS OF THE COMMISSION.

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(D) PRIVACY OF ELECTRONIC TOLL COLLECTION [ACCOUNT HOLDER]
INFORMATION.--

(1) EXCEPT AS SET FORTH UNDER PARAGRAPH (2),
NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL OF THE
FOLLOWING APPLY TO INFORMATION KEPT BY THE COMMISSION, ITS
AUTHORIZED AGENTS OR ITS EMPLOYEES WHICH IS RELATED TO [THE]
AN ACCOUNT [OF AN] FOR ELECTRONIC TOLL COLLECTION [SYSTEM
ACCOUNT HOLDER] AND ANY INFORMATION COLLECTED BY A TOLL
COLLECTION SYSTEM:

(I) THE INFORMATION SHALL BE FOR THE EXCLUSIVE USE
OF THE COMMISSION, ITS AUTHORIZED AGENTS, ITS EMPLOYEES
AND LAW ENFORCEMENT OFFICIALS FOR THE PURPOSE OF
DISCHARGING THEIR DUTIES PURSUANT TO THIS SECTION AND THE
REGULATIONS OF THE COMMISSION. THIS SUBPARAGRAPH INCLUDES NAMES, ADDRESSES, ACCOUNT NUMBERS, ACCOUNT BALANCES, PERSONAL FINANCIAL INFORMATION, VEHICLE MOVEMENT RECORDS AND OTHER INFORMATION COMPILED [FROM TRANSACTIONS WITH THE ACCOUNT HOLDERS] BY A TOLL COLLECTION SYSTEM.

(II) THE INFORMATION SHALL NOT BE DEEMED A PUBLIC RECORD UNDER THE RIGHT-TO-KNOW LAW, NOR SHALL IT BE DISCOVERABLE BY COURT ORDER OR OTHERWISE OR BE OFFERED IN EVIDENCE IN ANY ACTION OR PROCEEDING WHICH IS NOT DIRECTLY RELATED TO THE DISCHARGE OF DUTIES UNDER THIS SECTION, THE REGULATIONS OF THE COMMISSION OR A VIOLATION OF THE TERMS IN AN ACCOUNT [HOLDER AGREEMENT].

(2) PARAGRAPH (1) SHALL NOT BE DEEMED TO DO ANY OF THE FOLLOWING:

(I) 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.

(II) PRECLUDE THE EXCHANGE OF THE INFORMATION BETWEEN ANY ENTITIES WITH JURISDICTION OVER OR WHICH OPERATE [AN ELECTRONIC] A TOLL COLLECTION SYSTEM IN THIS COMMONWEALTH OR ANY OTHER JURISDICTION.

(III) PROHIBIT THE USE OF THE INFORMATION EXCLUSIVELY FOR THE PURPOSE OF BILLING ELECTRONIC TOLL COLLECTION [ACCOUNT HOLDERS] ACCOUNTS, DEDUCTING TOLL CHARGES FROM [THE] AN ACCOUNT [OF AN ACCOUNT HOLDER], ENFORCING TOLL COLLECTION LAWS AND RELATED REGULATIONS OR ENFORCING THE PROVISIONS OF AN ACCOUNT [HOLDER AGREEMENT].
(D.1) NOTICE FOR POSTING VIDEO TOLL OR FLAT VIDEO TOLL TO CUSTOMER ACCOUNT.--

(1) THE COMMISSION SHALL INDICATE ON AN ACCOUNT STATEMENT IF A VIDEO TOLL HAS BEEN POSTED TO THE CUSTOMER'S ACCOUNT, INCLUDING THE DATE AND THE DOLLAR AMOUNT OF THE VIDEO TOLL.

(2) THE COMMISSION SHALL POST NOTICE ON ITS PUBLICLY ACCESSIBLE INTERNET WEBSITE INDICATING AN ACCOUNT MAY BE CHARGED A FLAT VIDEO TOLL IF THE COMMISSION IS UNABLE TO MATCH A LICENSE PLATE IMAGE.

(3) THE COMMISSION SHALL NOTIFY THE ACCOUNT UPON THE POSTING OF THE FIRST FLAT VIDEO TOLL TO THE ACCOUNT IN A CALENDAR YEAR IN ACCORDANCE WITH THE PREFERENCES INDICATED IN THE ACCOUNT. THE NOTIFICATION SHALL INCLUDE:

(I) INFORMATION ON PROPER PLACEMENT OF THE ELECTRONIC TOLL COLLECTION DEVICE.

(II) INFORMATION REGARDING REPLACEMENT OF THE ELECTRONIC TOLL COLLECTION DEVICE.

(III) NOTICE THAT FAILURE TO RESPOND MAY RESULT IN ADDITIONAL FLAT VIDEO TOLLS AND ADMINISTRATIVE FEES POSTED TO THE ACCOUNT.

(IV) OTHER INFORMATION AS DETERMINED BY THE COMMISSION.

(4) THE COMMISSION SHALL PROVIDE FOR AN APPEAL PROCESS.

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SECTION 3. SECTION 8121 OF TITLE 74 IS AMENDED TO READ:

§ 8121. ANNUAL HEARING AND REPORTS.

(A) DUTY TO TESTIFY.--UPON REQUEST, AT LEAST ONE COMMISSION MEMBER SHALL TESTIFY AT A PUBLIC HEARING BEFORE THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES.
COMMITTEE OF THE HOUSE OF REPRESENTATIVES EACH YEAR TO PRESENT
INFORMATION ON TURNPIKE OPERATIONS AND COORDINATION WITH OTHER
STATE AGENCIES.

(B) DUTY TO REPORT.--

(1) NO LATER THAN OCTOBER 1, 2022, AND EACH OCTOBER 1
THEREAFTER, THE COMMISSION SHALL SUBMIT A REPORT TO THE
GENERAL ASSEMBLY SUMMARIZING TOLL REVENUES THAT ARE COLLECTED
AND UNCOLLECTED, AND PROJECTED TO BE COLLECTED AND
UNCOLLECTED, INCLUDING THE REASONS THAT THE TOLL REVENUES ARE
UNCOLLECTED, DURING THE PRIOR FISCAL YEAR.

(2) THE REPORT SHALL BE SUBMITTED TO THE FOLLOWING:

(I) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
TRANSPORTATION COMMITTEE OF THE SENATE.

(II) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
TRANSPORTATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

(3) THE REPORT SHALL INCLUDE THE FOLLOWING INFORMATION:

(I) THE DOLLAR AMOUNT OF TOLL REVENUES COLLECTED AND
PROJECTED TO BE COLLECTED DURING THE PRIOR FISCAL YEAR.

(II) THE DOLLAR AMOUNT AND PERCENTAGE OF TOLL
REVENUES COLLECTED AND PROJECTED TO BE COLLECTED DURING
THE PRIOR FISCAL YEAR BY COLLECTION METHOD.

(III) THE DOLLAR AMOUNT AND PERCENTAGE OF TOLLS
UNCOLLECTED AND PROJECTED TO BE UNCOLLECTED DURING THE
PRIOR FISCAL YEAR.

(IV) A BREAKDOWN OF UNCOLLECTED TOLLS DETAILING THE
REASON FOR FAILURE TO COLLECT, INCLUDING AN UNREADABLE OR
MISSING LICENSE PLATE, AN UNDELIVERABLE ADDRESS OR AN
UNPAID INVOICE.

(C) FEASIBILITY STUDY.--

(1) THE COMMISSION SHALL CONDUCT A FEASIBILITY STUDY TO
ASSESS ALTERNATIVE ELECTRONIC TOLL COLLECTION PAYMENT OPTIONS. THE STUDY SHALL INCLUDE:

(I) A REVIEW OF THIRD-PARTY ORGANIZATIONS THAT PROCESS ACCOUNTS AND TRANSACTIONS FOR TOLL COLLECTION THROUGH ELECTRONIC FUNDS TRANSFER.


(III) REVIEW OF THE COMMISSION'S EXISTING CUSTOMER PAYMENT APPLICATION.

(IV) RECOMMENDATIONS FROM THE COMMISSION.

(2) THE STUDY SHALL BE COMPLETED WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SUBSECTION AND COPIES SHALL BE SUBMITTED TO THE FOLLOWING:

(I) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE TRANSPORTATION COMMITTEE OF THE SENATE.

(II) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE TRANSPORTATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

SECTION 4. TITLE 75 IS AMENDED BY ADDING A SECTION TO READ:

§ 1324. CONTRIBUTIONS FOR THE PREVENTION OF CHILD ABUSE AND NEGLECT.

(A) GENERAL RULE.—WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT SHALL PROVIDE FOR ALL OF THE FOLLOWING:

(1) ABILITY OF A PERSON RENEWING A DRIVER'S LICENSE OR IDENTIFICATION CARD ELECTRONICALLY THROUGH THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE TO MAKE A CONTRIBUTION OF $5 TO THE CHILDREN'S TRUST FUND.
ABILITY OF A PERSON RENEWING A VEHICLE REGISTRATION ELECTRONICALLY THROUGH THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE TO MAKE A CONTRIBUTION OF $5 TO THE CHILDREN'S TRUST FUND.

(B) IMPLEMENTATION.--

(1) A CONTRIBUTION UNDER SUBSECTION (A) SHALL BE ADDED, AS APPROPRIATE, TO THE REGULAR FEE FOR:

(I) A RENEWAL OF A DRIVER'S LICENSE OR IDENTIFICATION CARD; AND

(II) A RENEWAL OF A VEHICLE REGISTRATION.

(2) ONE CONTRIBUTION UNDER SUBSECTION (A) MAY BE MADE FOR:

(I) EACH RENEWAL OF A DRIVER'S LICENSE OR IDENTIFICATION CARD; AND

(II) EACH RENEWAL OF A VEHICLE REGISTRATION.

(C) USE.--CONTRIBUTIONS MADE UNDER SUBSECTION (A) SHALL BE USED BY THE CHILDREN'S TRUST FUND BOARD EXCLUSIVELY FOR THE PREVENTION OF CHILD ABUSE AND NEGLECT.

(D) DEPOSITS.--THE DEPARTMENT SHALL DETERMINE ANNUALLY THE TOTAL AMOUNT DESIGNATED UNDER THIS SECTION AND SHALL REPORT THE AMOUNT TO THE STATE TREASURER WHO SHALL TRANSFER THE AMOUNT FROM THE MOTOR LICENSE FUND TO THE CHILDREN'S TRUST FUND.

(E) INFORMATION.--THE DEPARTMENT SHALL PROVIDE ADEQUATE INFORMATION CONCERNING THE CONTRIBUTION FOR THE PREVENTION OF CHILD ABUSE AND NEGLECT IN ITS INSTRUCTIONS FOR THE APPLICANTS DESCRIBED IN SUBSECTION (A). THE INFORMATION CONCERNING THE CONTRIBUTION SHALL INCLUDE THE ADDRESS OF THE CHILDREN'S TRUST FUND TO WHICH CONTRIBUTIONS MAY BE SENT BY INDIVIDUALS WISHING TO MAKE ADDITIONAL CONTRIBUTIONS.

(F) REPORTING.--THE CHILDREN'S TRUST FUND BOARD SHALL
INCLUDE IN ITS ANNUAL REPORT REQUIRED UNDER SECTION 5(6) OF THE
ACT OF DECEMBER 15, 1988 (P.L.1235, NO.151), KNOWN AS THE
CHILDREN'S TRUST FUND ACT, THE AMOUNT RECEIVED FROM THE
CONTRIBUTIONS AUTHORIZED BY THIS SECTION AND HOW THE FUNDS WERE
USED.

(G) REIMBURSEMENT.--THE CHILDREN'S TRUST FUND SHALL
REIMBURSE THE MOTOR LICENSE FUND FOR THE ACTUAL COSTS INCURRED
BY THE DEPARTMENT IN THE ADMINISTRATION OF THIS SECTION.

(H) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

"CHILDREN'S TRUST FUND." THE FUND CREATED UNDER SECTION 8 OF
THE CHILDREN'S TRUST FUND ACT.

"CHILDREN'S TRUST FUND BOARD." THE BOARD CREATED UNDER
SECTION 4 OF THE CHILDREN'S TRUST FUND ACT.

SECTION 5. SECTION 1332(B) OF TITLE 75 IS AMENDED AND THE
SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

§ 1332. DISPLAY OF REGISTRATION PLATE.

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(B) OBSCURING PLATE.--IT IS UNLAWFUL TO DISPLAY ON ANY
VEHICLE A REGISTRATION PLATE WHICH:

(1) IS SO DIRTY AS TO PREVENT THE READING OF THE NUMBER
OR LETTERS THEREON AT A REASONABLE DISTANCE;

(2) IS ILLEGIBLE, OBSCURED, COVERED OR OTHERWISE
OBSTRUCTED IN ANY MANNER WHICH INHIBITS THE PROPER OPERATION
OF AN AUTOMATED RED LIGHT ENFORCEMENT SYSTEM IN PLACE
PURSUANT TO SECTION 3116 (RELATING TO AUTOMATED RED LIGHT
ENFORCEMENT SYSTEMS IN FIRST CLASS CITIES) OR 3117 (RELATING
TO AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS IN CERTAIN
MUNICIPALITIES) OR ANY OTHER AUTOMATED ENFORCEMENT SYSTEM
AUTHORIZED BY THIS TITLE OR AN ELECTRONIC TOLL COLLECTION
SYSTEM AS AUTHORIZED UNDER 74 PA.C.S. § 8117 (RELATING TO
ELECTRONIC TOLL COLLECTION);

(3) IS [OTHERWISE] ILLEGIBLE, OBSCURED, COVERED OR
OTHERWISE OBSTRUCTED IN ANY MANNER AT A REASONABLE DISTANCE
[OR IS OBSCURED IN ANY MANNER; OR];

(4) IS ILLEGIBLE, OBSCURED, COVERED OR OTHERWISE
OBSTRUCTED IN [A] ANY MANNER WHICH INHIBITS THE VISIBILITY OF
THE ISSUING JURISDICTION AT A REASONABLE DISTANCE[; OR]

(5) HAS A TINTED PLATE COVER.

(B.1) CONSTRUCTION.--NOTHING UNDER SUBSECTION (B) SHALL BE
CONSTRUED TO PROHIBIT A VEHICLE FROM BEING AFFIXED WITH A
REGISTRATION PLATE FRAME THAT MINIMALLY OUTLINES THE
REGISTRATION PLATE IN SUCH A MANNER THAT THE REGISTRATION
PLATE'S NUMBER AND ISSUING JURISDICTION IS IDENTIFIABLE BY AN
AUTOMATED ENFORCEMENT SYSTEM UNDER SUBSECTION (B)(2) OR BY LAW
ENFORCEMENT.

* * *

SECTION 6. TITLE 75 IS AMENDED BY ADDING SECTIONS TO READ:

§ 1352.2. POLLINATOR CONSERVATION REGISTRATION PLATE.

THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF
AGRICULTURE, SHALL DESIGN A SPECIAL POLLINATOR CONSERVATION
REGISTRATION PLATE. UPON APPLICATION OF ANY PERSON, ACCOMPANIED
BY A FEE OF $38 WHICH SHALL BE IN ADDITION TO THE 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 14,000 POUNDS. THE POLLINATOR HABITAT PROGRAM FUND
SHALL RECEIVE $25 OF THE FEE PAID BY THE APPLICANT FOR THE
PLATE.

§ 1363.1. AFGHANISTAN AND IRAQ VETERANS PLATE.
UPON APPLICATION OF ANY PERSON WHO IS A VETERAN OF THE
LIBERATION OR OCCUPATION OF AFGHANISTAN AND IRAQ, ACCOMPANIED BY
A FEE OF $23 WHICH SHALL BE IN ADDITION TO THE 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 AFGHANISTAN AND IRAQ. THE SPECIAL
REGISTRATION PLATE MAY BE USED ONLY ON A PASSENGER CAR OR TRUCK
WITH A REGISTERED GROSS WEIGHT OF NOT MORE THAN 14,000 POUNDS.

§ 1366.2. Blue Star Family plate.

(a) General rule.--Upon application of a family member of a
person who is an active duty service member in the military,
including a reserve component or National Guard, accompanied by
a fee of $23 which shall be in addition to the annual registration fee and by such documentation as the department
shall require, the department shall issue to the family member a
special registration plate designating the vehicle so licensed
as belonging to a family member of a person serving on active
duty in the military, including a reserve component or National
Guard. The department shall design and produce the special
registration plate carrying the Blue Star which signifies that a
family member is an active duty service member, including a
reserve component or National Guard. The words "Blue Star Family" shall be clearly displayed along the bottom of the
plate. The special registration plate may be used only on a
passenger car or truck with a registered gross weight of not
more than 14,000 pounds.

(b) Documentation required.--An applicant for a Blue Star
Family plate shall certify on a form approved by the department
that the applicant is a family member of a person who is an
active duty service member in the military, including a reserve
component or National Guard.

(c) Construction.--Nothing in this section shall be
construed to require:

(1) A person issued a Blue Star Family plate to return
the plate to the department if a family member no longer
serves on active duty in the military, including a reserve
component or National Guard.

(2) The department to periodically verify that a person
issued a Blue Star Family plate has a family member serving
on active duty in the military, including a reserve component
or National Guard, after the initial issuance of the plate.

(d) Definition.--As used in this section, the term "family
member" includes the following:

(1) Mother.

(2) Father.

(3) Stepmother.

(4) Stepfather.

(5) Mother through adoption.

(6) Father through adoption.

(7) Foster mother in loco parentis.

(8) Foster father in loco parentis.

(9) Son.

(10) Daughter.

(11) Stepson.

(12) Stepdaughter.

(13) Son by adoption.

(14) Daughter by adoption.

(15) Brother.

(16) Sister.
(17) Half-brother.
(18) Half-sister.
(19) Grandfather.
(20) Grandmother.
(21) Spouse.

SECTION 7. SECTION 1380(A)(1), (C)(2), (D), (E) AND (H) OF TITLE 75 ARE AMENDED TO READ:

§ 1380. SUSPENSION OF REGISTRATION UPON UNPAID TOLLS.

(A) GENERAL RULE.--

(1) THE DEPARTMENT SHALL SUSPEND THE REGISTRATION OF A VEHICLE UPON NOTIFICATION FROM A TOLLING ENTITY THAT THE OWNER OR REGISTRANT OF THE VEHICLE HAS EITHER:

   (I) FAILED TO PAY OR DEFAULTED IN THE PAYMENT OF [SIX] FOUR OR MORE [VIOLATIONS] INVOICES ISSUED UNDER 74 PA.C.S. § 8116(A) (RELATING TO COLLECTION AND DISPOSITION OF TOLLS AND OTHER REVENUE) OR 8117(A)(1) (RELATING TO ELECTRONIC TOLL COLLECTION), INCLUDING VIOLATION NOTICES ISSUED PRIOR TO MARCH 16, 2020, OR OTHER LAW, REGULATION, ORDINANCE OR STANDARD APPLICABLE TO THE TOLL COLLECTION OR PAYMENT REQUIREMENTS FOR A TOLLING ENTITY; OR

   (II) INCURRED UNPAID TOLLS OR ADMINISTRATIVE FEES OR COSTS THAT COLLECTIVELY TOTAL A MINIMUM OF [$500] $250, REGARDLESS OF THE NUMBER OF [VIOLATIONS] UNPAID INVOICES.

   * * *

(C) NOTICE TO DEPARTMENT.--

   * * *

   (2) WHEN A TOLLING ENTITY HAS PROVIDED NOTICE UNDER THIS SUBSECTION AND ALL OF THE [VIOLATIONS] UNPAID INVOICES ARE SUBSEQUENTLY PAID, DISMISSED, REVERSED ON APPEAL OR CANCELED, THE TOLLING ENTITY SHALL NOTIFY THE DEPARTMENT ELECTRONICALLY
IN A FORMAT PRESCRIBED BY THE DEPARTMENT OF THE DISPOSITION
OF THE [VIOLATION] UNPAID INVOICE AND SHALL PROVIDE THE OWNER
OR REGISTRANT WITH A RELEASE FROM THE SUSPENSION.

(D) PERIOD OF SUSPENSION.--A SUSPENSION UNDER SUBSECTION (A)
SHALL CONTINUE UNTIL THE DEPARTMENT RECEIVES NOTICE FROM THE
TOLLING ENTITY THAT THE [VIOLATIONS] UNPAID INVOICES ARE PAID,
DISMISSED, REVERSED ON APPEAL OR CANCELED OR THE OWNER OR
REGISTRANT ENTERS INTO AN AGREEMENT WITH THE TOLLING ENTITY TO
MAKE INSTALLMENT PAYMENTS FOR TOLLS, ADMINISTRATIVE FEES AND
COSTS IMPOSED AND PAYS THE FEE PRESCRIBED IN SECTION 1960
(RELATING TO REINSTATEMENT OF OPERATING PRIVILEGE OR VEHICLE
REGISTRATION), PROVIDED THAT THE SUSPENSION MAY BE REIMPOSED BY
THE DEPARTMENT IF THE OWNER OR REGISTRANT FAILS TO MAKE REGULAR
INSTALLMENT PAYMENTS.

(E) ADDITIONAL SUSPENSION.--THE DEPARTMENT SHALL IMPOSE AN
ADDITIONAL PERIOD OF REGISTRATION SUSPENSION IF, SUBSEQUENT TO
THE ISSUANCE OF A SUSPENSION UNDER SUBSECTION (A) BUT PRIOR TO
THE RESTORATION OF THE REGISTRATION, THE DEPARTMENT IS NOTIFIED
BY THE TOLLING ENTITY THAT THE OWNER OR REGISTRANT HAS FAILED TO
PAY, FAILED TO RESPOND OR DEFAULTED IN THE PAYMENT OF AN
ADDITIONAL [VIOLATION] INVOICE ISSUED UNDER 74 PA.C.S. § 8116(A)
(RELATING TO COLLECTION AND DISPOSITION OF TOLLS AND OTHER
REVENUE) OR 8117(A)(1).

* * *

(H) [THREE-YEAR STATUTE] STATUTE OF LIMITATIONS.--NO
SUSPENSION MAY BE IMPOSED BASED UPON A VIOLATION OF 74 PA.C.S. §
8117(A)(1) OR SIMILAR PROVISION FROM ANOTHER STATE MORE THAN
[THREE] FIVE YEARS AFTER THE VIOLATION IS COMMITTED.

* * *

SECTION 8. SECTION 1905 OF TITLE 75 IS AMENDED BY ADDING A
SUBSECTION TO READ:

§ 1905. PAYMENTS TO SPECIAL FUNDS.

* * *

(D) POLLINATOR HABITAT PROGRAM FUND.--TWENTY-FIVE DOLLARS OF EACH FEE RECEIVED UNDER SECTION 1352.2 (RELATING TO POLLINATOR CONSERVATION REGISTRATION PLATE) SHALL BE CREDITED TO THE POLLINATOR HABITAT PROGRAM FUND, ESTABLISHED AS FOLLOWS:

(1) THE POLLINATOR HABITAT PROGRAM FUND IS ESTABLISHED AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING SUPPORT FOR ROADSIDE POLLINATOR INITIATIVES.

(2) ALL MONEY IN THE POLLINATOR HABITAT PROGRAM FUND IS ANNUALLY APPROPRIATED TO THE DEPARTMENT AND MAY BE EXPENDED FOR THE PURPOSES AUTHORIZED UNDER THIS SUBSECTION.

(3) ESTIMATES OF AMOUNTS TO BE EXPENDED UNDER THIS SUBSECTION SHALL BE SUBMITTED TO THE GOVERNOR BY THE DEPARTMENT FOR APPROVAL.

(4) THE STATE TREASURER SHALL NOT HONOR ANY REQUISITION FOR EXPENDITURES BY THE DEPARTMENT IN EXCESS OF ESTIMATES APPROVED BY THE GOVERNOR OR IN EXCESS OF THE AMOUNT AVAILABLE FOR THE PURPOSES FOR WHICH THE REQUISITION WAS MADE, WHICHEVER IS THE LESSER AMOUNT.

SECTION 9. SECTION 6110.1(C) AND (F) OF TITLE 75 ARE AMENDED TO READ:

§ 6110.1. FARE EVASION.

* * *

(C) CONSTRUCTION.--PROSECUTION OF A VIOLATION OF THIS SECTION SHALL NOT PRECLUDE PROSECUTION UNDER SECTION 1332 (RELATING TO DISPLAY OF REGISTRATION PLATE), 1380 (RELATING TO SUSPENSION OF REGISTRATION UPON UNPAID TOLLS), 7122 (RELATING TO ALTERED, FORGED OR COUNTERFEIT DOCUMENTS AND PLATES) OR 7124
(RELATING TO FRAUDULENT USE OR REMOVAL OF REGISTRATION PLATE).

* * *

(F) DEFINITION.—AS USED IN THIS SECTION, THE TERM "AFFIRMATIVE ACTION" INCLUDES:

1. [REMOVING A LICENSE PLATE FROM A VEHICLE TO IMPED ELECTRONIC TOLL COLLECTION;] OPERATING A VEHICLE WITHOUT A LICENSE PLATE AND VALID VEHICLE REGISTRATION;

2. OPERATING A VEHICLE WITHOUT A VALID ELECTRONIC TOLL COLLECTION DEVICE AND INSTALLING A MECHANISM WHICH ROTATES, CHANGES, BLOCKS OR OTHERWISE MECHANICALLY ALTERS THE ABILITY OF A LICENSE PLATE TO BE READ BY A [VIOLATION ENFORCEMENT SYSTEM] TOLL COLLECTION SYSTEM;


4. CONSPIRING WITH AN INDIVIDUAL OR GROUP OF INDIVIDUALS TO ALTER, LOWER OR EVADE PAYMENT OF CORRECT TOLLS; [AND]

5. UNAUTHORIZED USE OF A PENNSYLVANIA TURNPIKE PRIVATE GATE ACCESS OR OTHERWISE UNAUTHORIZED MOVEMENT ENTERING OR EXITING THE TURNPIKE OTHER THAN AT APPROVED [INTERCHANGES.] TOLLING POINTS; AND

6. OPERATING A VEHICLE WITHOUT A VALID ELECTRONIC TOLL COLLECTION DEVICE AND ALTERING, OBSTRUCTING, COVERING, DISTORTING, MANIPULATING OR REMOVING A LICENSE PLATE FROM A VEHICLE TO IMPED ELECTRONIC TOLL COLLECTION.

Section 210. This act shall take effect in 120 days. AS

(1) THE FOLLOWING SHALL TAKE EFFECT IMMEDIATELY:

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(I) THIS SECTION.

(II) THE AMENDMENT OR ADDITION OF 75 PA.C.S. § 1332(B)(2), (3) AND (4) AND (B.1).

(2) THE ADDITION OF 75 PA.C.S. § 1324 SHALL TAKE EFFECT IN 180 DAYS.

(3) THE ADDITION OF 75 PA.C.S. §§ 1352.2, 1363.1, 1366.2 AND 1905(D) SHALL TAKE EFFECT IN 120 DAYS.

(4) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 60 DAYS.