

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2666 Session of
2004

INTRODUCED BY McCALL, GEIST, BIANCUCCI, CORRIGAN, CURRY, DALEY,
DeLUCA, DENLINGER, DeWEESE, FABRIZIO, FAIRCHILD, FREEMAN,
GEORGE, GILLESPIE, GODSHALL, GOOD, GOODMAN, GRUCELA, HARPER,
HERMAN, HORSEY, LAUGHLIN, R. MILLER, O'NEILL, READSHAW,
SCAVELLO, SCHRODER, SCRIMENTI AND GERGELY, JUNE 7, 2004

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, NOVEMBER 20, 2004

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for period of registration; <—
3 PROVIDING FOR COMMERCIAL DRIVER RECORDS; AND FURTHER
4 PROVIDING FOR EXEMPTION FROM OTHER FEES AND FOR THE <—
5 PROHIBITION ON EXPENDITURES FOR EMISSION INSPECTION PROGRAM.

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

8 ~~Section 1. Section 1307(a) of Title 75 of the Pennsylvania~~ <—
9 ~~Consolidated Statutes is amended to read:~~

10 ~~SECTION 1. SECTIONS 1307(A) AND 4706(D) OF TITLE 75 OF THE~~ <—
11 ~~PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:~~

12 SECTION 1. SECTION 1307(A) OF TITLE 75 OF THE PENNSYLVANIA <—
13 CONSOLIDATED STATUTES IS AMENDED TO READ:

14 § 1307. Period of registration.

15 (a) Staggered renewal system to be established.--The
16 department shall establish a system of staggered registration
17 renewal in a manner that an approximately equal number of

1 registrations will expire every month throughout the year. [This
2 system shall be coordinated with the periodic inspection of all
3 vehicles which are subject to annual inspection except those
4 vehicles bearing dealer registration plates.] In order to
5 implement and maintain the staggered registration system, the
6 department may prorate annual registration fees over
7 registration periods of from 6 to 18 months.

8 * * *

9 SECTION 2. TITLE 75 IS AMENDED BY ADDING A SECTION TO READ: <—
10 § 1620. COMMERCIAL DRIVER RECORDS.

11 THE DEPARTMENT SHALL ESTABLISH A PROGRAM FOR UNLIMITED ANNUAL
12 ELECTRONIC DRIVER RECORD CHECKS FOR EMPLOYERS OF COMMERCIAL
13 DRIVERS. THE PROGRAM SHALL INCLUDE THE REGISTRATION OF THE
14 EMPLOYER WITH THE DEPARTMENT INCLUDING AN ESTIMATE OF THE NUMBER
15 OF DRIVERS EMPLOYED AND AN ANNUAL FEE WHICH SHALL BE BASED ON \$5
16 PER ESTIMATED DRIVER. THE DEPARTMENT SHALL PROVIDE THE
17 REGISTERED EMPLOYER WITH UNLIMITED ELECTRONIC ACCESS TO
18 UNCERTIFIED DRIVER RECORDS. THE DEPARTMENT IS AUTHORIZED TO
19 PERIODICALLY AUDIT THE REGISTERED EMPLOYER TO DETERMINE THAT
20 FEES ARE APPROXIMATELY IN LINE WITH THE NUMBER OF EMPLOYEES'
21 RECORDS BEING ACCESSED. IF THE DEPARTMENT DETERMINES THAT THE
22 EMPLOYER MISREPRESENTED THE NUMBER OF DRIVERS WHOSE RECORDS
23 WOULD BE ACCESSED, OR THAT THE RECORD OF A DRIVER OTHER THAN A
24 COMMERCIAL DRIVER EMPLOYEE OR PROSPECTIVE COMMERCIAL DRIVER
25 EMPLOYEE WAS ACCESSED, THE DEPARTMENT SHALL TAKE APPROPRIATE
26 ACTION.

27 SECTION 3. SECTION 1902 OF TITLE 75 IS AMENDED BY ADDING A
28 PARAGRAPH TO READ:

29 § 1902. EXEMPTIONS FROM OTHER FEES.

30 NO FEE SHALL BE CHARGED UNDER THIS TITLE FOR OR TO ANY OF THE

1 FOLLOWING:

2 * * *

3 (9) A DRIVER RECORD OF A SCHOOL BUS DRIVER OBTAINED
4 ELECTRONICALLY FROM THE DEPARTMENT BY THE EMPLOYER OF THE
5 SCHOOL BUS DRIVER OR ANY FEDERAL OR STATE TRANSPORTATION
6 ASSOCIATION OF SCHOOL BUS OPERATORS ON BEHALF OF THE
7 EMPLOYER, WHERE THE EMPLOYER OR THE ASSOCIATION HAS PAID AN
8 ANNUAL RECORD ACCESS FEE ESTABLISHED BY THE DEPARTMENT. THE
9 DEPARTMENT SHALL PUBLISH NOTICE OF THE ANNUAL FEE IN THE
10 PENNSYLVANIA BULLETIN.

11 SECTION 4. SECTION 4706(D) OF TITLE 75 IS AMENDED TO READ:

12 § 4706. PROHIBITION ON EXPENDITURES FOR EMISSION INSPECTION <—
13 PROGRAM.

14 * * *

15 [(D) COORDINATION WITH VEHICLE REGISTRATION.--WHENEVER A
16 SYSTEM FOR THE PERIODIC INSPECTION OF EMISSIONS OR EMISSION
17 SYSTEMS IS ESTABLISHED AS AUTHORIZED IN SUBSECTIONS (B) AND
18 (B.1), SUCH INSPECTION OF EMISSIONS OR EMISSION SYSTEMS SHALL BE
19 COORDINATED WITH THE VEHICLE REGISTRATION PERIOD.]

20 * * *

21 Section ~~2~~ 5. This act shall take effect in 60 days. <—