AN ACT

Amending Titles 20 (Decedents, Estates and Fiduciaries), 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in anatomical gifts, further providing for The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund contributions; IN ADMINISTRATIVE PRACTICE AND PROCEDURE, FURTHER PROVIDING FOR MINORITY AND WOMEN-OWNED BUSINESS PARTICIPATION; in sustainable mobility options, further providing for definitions, for the Public Transportation Trust Fund, for application and approval process, for executive and legislative reports, for coordination, for asset improvement program, for Statewide programs and for capital improvements program; providing for ALTERNATIVE ENERGY CAPITAL INVESTMENT PROGRAM AND FOR multimodal transportation funding; IN AIRPORT OPERATION AND ZONING, FURTHER PROVIDING FOR THE IMPOSITION OF A RENTAL CAR CUSTOMER FACILITY CHARGE BY A CITY OF THE FIRST CLASS, FOR THE COLLECTION OF THE CUSTOMER FACILITY CHARGE ON BEHALF OF THE CITY BY RENTAL CAR COMPANIES LEASING SPACE OR OBTAINING CUSTOMERS AT AN INTERNATIONAL AIRPORT, FOR USE OF THE PROCEEDS OF THE RENTAL CAR CUSTOMER FACILITY CHARGE FOR THE DEVELOPMENT, MAINTENANCE AND OPERATION OF A CONSOLIDATED RENTAL CAR FACILITY TO IMPROVE SERVICES TO THE PUBLIC AT THE AIRPORT; FOR AN AGREEMENT BETWEEN A CITY OF THE FIRST CLASS AND RENTAL CAR COMPANIES RELATING TO THE DEVELOPMENT AND USE OF THE CONSOLIDATED CAR RENTAL FACILITY AND FOR THE ADMINISTRATION AND ENFORCEMENT OF THE RENTAL CAR CUSTOMER FACILITY CHARGE; in the Pennsylvania Turnpike, further providing for definitions, for commission and for electronic toll collection; in public-private transportation partnerships, further providing for agreement; providing for traffic signals and for the Bridge Bundling Program; in
registration of vehicles, further providing for certain special plates and providing for suspension of registration upon unpaid tolls; in licensing of drivers, further providing for expiration and renewal of drivers' licenses, for occupational limited license and for probationary license; in commercial drivers, further providing for fees; in financial responsibility, further providing for required financial responsibility; in fees, further providing for collection and disposition of fees and money, for passenger cars, for motor homes, for motorcycles, for motor-driven cycles, for trucks and truck tractors, for motor buses and limousines, for school buses and school vehicles, for trailers, for special mobile equipment, for implements of husbandry, for antique, classic and collectible vehicles, for farm vehicles, for ambulances, taxis and hearses, for dealers and miscellaneous motor vehicle business, for farm equipment vehicle dealers, for transfer of registration, for temporary and electronically issued registration plates, for replacement registration plates, for certain registration plates, for duplicate registration cards, for commercial implements of husbandry, for special hauling permits as to weight and size, for annual hauling permits, for mobile homes, modular housing units and modular housing undercarriages, for books of permits, for refund of certain fees, for driver's license and learner's permit, for certificate of title, for security interest, for information concerning drivers and vehicles, for certified copies of records, for uncollectible checks, for certificate of inspection, for messenger service, for reinstatement of operating privilege or vehicle registration and for secure power of attorney; in motor carriers road tax identification markers, further providing for identification markers and license or road tax registration card required; in general provisions, further providing for obedience to traffic-control devices; in State and local powers, further providing for regulation of traffic on Pennsylvania Turnpike; in penalties and disposition of fines, further providing for surcharge; in snowmobiles and all-terrain vehicles, further providing for fees; in Pennsylvania Turnpike, further providing for definitions and for deposit and distribution of funds; in liquid fuels and fuels tax, further providing for definitions and for imposition, tax, exemptions and deductions; in State highway maintenance, further providing for dirt and gravel road maintenance; in taxes for highway maintenance and construction, further providing for imposition and for allocation of proceeds; and directing the Joint State Government Commission to study replacement funds.

The General Assembly finds and declares as follows:

(1) It is the purpose of this act to ensure that a safe and reliable system of transportation is available to the residents of this Commonwealth.

(2) The Commonwealth's transportation system includes nearly 40,000 miles of roads and 25,000 bridges owned by the Commonwealth, nearly 77,000 miles of roads and 12,000 bridges
owned by counties and municipal governments, 36 fixed-route public transportation agencies, 67 railroads, 133 public use airports, the Ports of Erie, Philadelphia and Pittsburgh, and numerous bicycle and pedestrian facilities.

(3) The Commonwealth's transportation system provides for access to employment, educational services, medical care and other life-sustaining services for all residents of this Commonwealth, including senior citizens and people with disabilities.

(4) The Department of Transportation of the Commonwealth has indicated that 9,000 miles of roads owned by the Commonwealth are in poor condition and that 4,400 bridges owned by the Commonwealth are rated structurally deficient. The State Transportation Advisory Committee has indicated that 2,189 bridges exceeding 20 feet in length owned by counties and municipalities are rated structurally deficient.

(5) There is urgent public need to reduce congestion, increase capacity, improve safety and promote economic efficiency of transportation facilities throughout this Commonwealth.

(6) The Commonwealth has limited resources to fund the maintenance and expansion of its transportation facilities.

(7) The State Transportation Advisory Committee reported in 2010 that the Commonwealth's transportation system is underfunded by $3,500,000,000 and projected that amount will grow to $6,700,000,000 by 2020 without additional financial investment by the Commonwealth.

(8) To ensure the needs of the public are adequately addressed, funding mechanisms must be enhanced to sustain the Commonwealth's transportation system in the future.
The utilization of user fees establishes a funding source for transportation needs that spreads the costs across those who benefit from the Commonwealth's transportation system.

Pursuant to section 11 of Article VIII of the Constitution of Pennsylvania, all highway and bridge user fees must be used solely for construction, reconstruction, maintenance and repair of and safety on public highways and bridges and costs and expenses incident thereto.

In order to ensure a safe and reliable system of public transportation, aviation, ports, rail and bicycle and pedestrian facilities, other transportation-related user fees must be deposited in the Public Transportation Trust Fund and the Multimodal Transportation Fund.

IN FURTHERANCE OF THE COMMONWEALTH'S ENERGY POLICY, WHICH INCLUDES BECOMING INDEPENDENT FROM OVERRELIANCE ON FOREIGN ENERGY SOURCES, PROGRAMS MUST BE ESTABLISHED TO PROMOTE RELIANCE ON OR CONVERSION TO ALTERNATIVE ENERGY SOURCES, INCLUDING THE VAST NATURAL GAS SUPPLY OF THIS COMMONWEALTH.

Recognition and furtherance of all these elements is essential to promoting the health, safety and welfare of the citizens of this Commonwealth.

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

Section 1. Section 8621 of Title 20 of the Pennsylvania Consolidated Statutes is amended to read:

§ 8621. The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund contributions.

(a) Driver's license.--Beginning as soon as practicable, but
no later than January 1, 1995, the Department of Transportation shall provide an applicant for an original or renewal driver's license or identification card the opportunity to make a contribution of [$1] $3 to the fund. The contribution shall be added to the regular fee for an original or renewal driver's license or identification card. One contribution may be made for each issuance or renewal of a license or identification card. Contributions shall be used exclusively for the purposes set out in section 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund). The Department of Transportation shall monthly determine the total amount designated under this section and shall report that amount to the State Treasurer, who shall transfer that amount to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund.

(b) Vehicle registration.--The Department of Transportation shall provide an applicant for a renewal vehicle registration the opportunity to make a contribution of [$1] $3 to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund. The contribution shall be added to the regular fee for a renewal of a vehicle registration. One contribution may be made for each renewal vehicle registration. Contributions shall be used exclusively for the purposes described in section 8622. The Department of Transportation shall monthly determine the total amount designated under this section and shall report that amount to the State Treasurer, who shall transfer that amount to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund. The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund shall reimburse the department for the
initial costs incurred in the development and implementation of
the contribution program under this subsection. The General Fund
shall reimburse the Department of Transportation for the actual
annual operating costs of the program for vehicle registrations
as described in this subsection subject to the following limits:
For the first fiscal year during which this subsection is
effective, the General Fund shall reimburse the Department of
Transportation for the actual operating costs of the program in
this subsection up to a maximum of $100,000. For each fiscal
year thereafter, the General Fund shall reimburse the Department
of Transportation for the actual operating costs of the program
in this subsection in an amount not to exceed the prior year's
actual operating costs on a full fiscal year basis plus 3%. The
amounts approved by the Governor as necessary are hereby
appropriated from the General Fund for this purpose.

SECTION 1.1. SECTION 303 OF TITLE 74 IS AMENDED TO READ:

§ 303. [MINORITY AND WOMEN-OWNED] DIVERSE BUSINESS
PARTICIPATION.

(A) GENERAL RULE.--IN [ADMINISTERING] BIDDING AND AWARDING
CONTRACTS FOR TRANSPORTATION PROJECTS FUNDED PURSUANT TO THE
PROVISIONS OF THIS TITLE OR TITLE 75 (RELATING TO VEHICLES), THE
DEPARTMENT, THE COMMISSION AND ANY LOCAL TRANSPORTATION
ORGANIZATION SHALL:

(1) BE RESPONSIBLE FOR ENSURING THAT ALL COMPETITIVE
CONTRACT OPPORTUNITIES ISSUED BY THE DEPARTMENT, THE
COMMISSION OR LOCAL TRANSPORTATION ORGANIZATION SEEK TO
MAXIMIZE PARTICIPATION BY [MINORITY-OWNED AND WOMEN-OWNED
BUSINESSES AND OTHER DISADVANTAGED] DIVERSE BUSINESSES.

(1.1) INCLUDE IN INFORMATION AND BID DOCUMENTS RELEASED
FOR BIDDING OR SOLICITATION ON ALL COMPETITIVE CONTRACTING
OPPORTUNITIES NOTICE TO THE BIDDER THAT:

(I) A PRIME CONTRACTOR IS REQUIRED TO DOCUMENT AND SUBMIT ALL GOOD FAITH EFFORTS TO SOLICIT SUBCONTRACTORS FROM DIVERSE BUSINESSES DURING THE PREBID AND BIDDING PROCESS, WHICH SHALL BE EVALUATED BY CONTRACTING ENTITIES.

(II) THE PRIME CONTRACTOR MUST INCLUDE IN THE BID THE NAME AND BUSINESS ADDRESS OF EACH SUBCONTRACTOR CERTIFIED AS A DIVERSE BUSINESS THAT Will PERFORM WORK OR LABOR, OR RENDER SERVICES TO THE PRIME CONTRACTOR IN CONNECTION WITH THE PERFORMANCE OF THE CONTRACT.

(2) [GIVE] ENCOURAGE CONTRACTORS TO UTILIZE AND GIVE CONSIDERATION[, WHEN POSSIBLE AND COST EFFECTIVE,] TO CONTRACTORS OFFERING TO UTILIZE [MINORITY-OWNED AND WOMEN-OWNED BUSINESSES AND DISADVANTAGED] DIVERSE BUSINESSES IN THE SELECTION AND AWARD OF CONTRACTS.

(3) ENSURE THAT THE DEPARTMENT'S, THE COMMISSION'S AND LOCAL TRANSPORTATION ORGANIZATIONS' COMMITMENT TO [THE MINORITY-OWNED AND WOMEN-OWNED BUSINESS PROGRAM] PARTICIPATION BY DIVERSE BUSINESSES IS CLEARLY UNDERSTOOD AND APPROPRIATELY IMPLEMENTED AND ENFORCED BY ALL APPLICABLE DEPARTMENT, COMMISSION AND LOCAL TRANSPORTATION ORGANIZATION EMPLOYEES.


(5) [FURNISH THE DEPARTMENT OF GENERAL SERVICES, UPON REQUEST, ALL REQUESTED INFORMATION OR ASSISTANCE.]
(6) [RECOMMEND SANCTIONS TO THE SECRETARY OF GENERAL SERVICES,] IMPOSE SANCTIONS AS MAY BE APPROPRIATE UNDER 62 PA.C.S. PT. I (RELATING TO COMMONWEALTH PROCUREMENT CODE), AGAINST BUSINESSES THAT FAIL TO COMPLY WITH THIS SECTION OR THE POLICIES OF THE COMMONWEALTH [MINORITY-OWNED AND WOMEN-OWNED] DIVERSE BUSINESS [PROGRAM] PROGRAMS. THIS PARAGRAPH SHALL NOT APPLY TO A LOCAL TRANSPORTATION ORGANIZATION.

(A.1) ADDITIONAL DUTIES OF DEPARTMENT.--THE DEPARTMENT, WITH THE ASSISTANCE OF THE DISADVANTAGE BUSINESS ENTERPRISE SUPPORTIVE SERVICES CENTER, SHALL HAVE THE FOLLOWING DUTIES:

(1) CONDUCT THE NECESSARY AND APPROPRIATE OUTREACH, INCLUDING USING THE DATABASE AVAILABLE ON THE INTERNET WEBSITE OF THE DEPARTMENT OF GENERAL SERVICES, FOR PURPOSES OF IDENTIFYING DIVERSE BUSINESSES IN GENERAL CONSTRUCTION CAPABLE OF PERFORMING CONTRACTS SUBJECT TO THIS SECTION.


(I) THE PERCENTAGE OF PARTICIPATION BY DIVERSE BUSINESSES.

(II) THE TOTAL VALUE OF ALL CONTRACTS OR SUBCONTRACTS OR OTHER PROCUREMENT CONTRACTS EXECUTED BY

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DIVERSE BUSINESSES PURSUANT TO THIS SECTION IN THE PRIOR YEAR.

(III) THE NUMBER OF BUSINESSES PENALIZED FOR VIOLATING THIS SECTION.

(3) TRANSMIT THE REPORT UNDER PARAGRAPH (2) TO THE MINORITY BUSINESS DEVELOPMENT AUTHORITY, ESTABLISHED UNDER THE ACT OF JULY 22, 1974 (P.L.598, NO.206), KNOWN AS THE "PENNSYLVANIA MINORITY BUSINESS DEVELOPMENT AUTHORITY ACT."

THE AUTHORITY SHALL REVIEW THE REPORT TO ASSESS THE EFFECTIVENESS IN ADVANCING THIS SECTION AND TO MAKE ANY RECOMMENDATIONS FOR CHANGES IN THIS SECTION DEEMED NECESSARY OR DESIRABLE TO THE SECRETARY AND THE CHAIRMAN AND MINORITY CHAIRMAN OF THE TRANSPORTATION COMMITTEE OF THE SENATE AND THE CHAIRMAN AND MINORITY CHAIRMAN OF THE TRANSPORTATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

(A.2) APPLICABILITY.--THE FOLLOWING SHALL APPLY TO CONTRACTORS AND CONTRACTS SUBJECT TO SUBSECTION (A):

(1) THE PROVISIONS OF 62 PA.C.S. § 2108 (RELATING TO COMPLIANCE WITH FEDERAL REQUIREMENTS).

(2) PROMPT PAYMENT POLICIES BETWEEN A CONTRACTOR AND SUBCONTRACTOR ADOPTED BY THE DEPARTMENT OF GENERAL SERVICES PURSUANT TO 62 PA.C.S. PT. I.

(B) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION:

"COMMISSION." AS DEFINED IN SECTION 8102 (RELATING TO DEFINITIONS).

"DISADVANTAGED BUSINESS." A BUSINESS THAT IS OWNED OR CONTROLLED BY A MAJORITY OF PERSONS, NOT LIMITED TO MEMBERS OF MINORITY GROUPS, WHO ARE SUBJECT TO RACIAL OR ETHNIC PREJUDICE.
"DIVERSE BUSINESS." A DISADVANTAGED BUSINESS, MINORITY-OWNED
OR WOMEN-OWNED BUSINESS OR SERVICE-DISABLED VETERAN-OWNED OR
VETERAN-OWNED SMALL BUSINESS.

"LOCAL TRANSPORTATION ORGANIZATION." ANY OF THE FOLLOWING:
(1) A POLITICAL SUBDIVISION OR A PUBLIC TRANSPORTATION
AUTHORITY, PORT AUTHORITY OR REDEVELOPMENT AUTHORITY
ORGANIZED UNDER THE LAWS OF THIS COMMONWEALTH OR PURSUANT TO
AN INTERSTATE COMPACT OR OTHERWISE EMPowered TO RENDER,
CONTRACT FOR THE RENDERING OF OR ASSIST IN THE RENDERING OF
TRANSPORTATION SERVICE IN A LIMITED AREA IN THIS
COMMONWEALTH, EVEN THOUGH IT MAY ALSO RENDER OR ASSIST IN
RENDERING TRANSPORTATION SERVICE IN ADJACENT STATES.
(2) A NONPROFIT ASSOCIATION THAT DIRECTLY OR INDIRECTLY
PROVIDES PUBLIC TRANSPORTATION SERVICE.
(3) A NONPROFIT ASSOCIATION OF PUBLIC TRANSPORTATION
PROVIDERS OPERATING WITHIN THIS COMMONWEALTH.

"MINORITY-OWNED BUSINESS." A BUSINESS OWNED AND CONTROLLED
BY A MAJORITY OF INDIVIDUALS WHO ARE AFRICAN AMERICANS, HISPANIC
AMERICANS, NATIVE AMERICANS, ASIAN AMERICANS, ALASKANS OR
PACIFIC ISLANDERS.

"SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS." AS DEFINED
IN 51 PA.C.S. § 9601 (RELATING TO DEFINITIONS).

"VETERAN-OWNED SMALL BUSINESS." AS DEFINED IN 51 PA.C.S. §
9601 (RELATING TO DEFINITIONS).

"WOMEN-OWNED BUSINESS." A BUSINESS OWNED AND CONTROLLED BY A
MAJORITY OF INDIVIDUALS WHO ARE WOMEN.

Section 2. The definitions of "base operating allocation"
and "capital expenditures" in section 1503 of Title 74 are
amended to read:
§ 1503. 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:

"Base operating allocation." The total amount of State operating assistance, reimbursement in lieu of fares for senior passengers and other assistance which was used for operating assistance as determined by the department in [fiscal year 2005-2006] the last full fiscal year that the qualifying local transportation organization received the assistance, INCLUDING THE FUNDS RECEIVED UNDER SECTION 1517.1 (RELATING TO ALTERNATIVE ENERGY CAPITAL INVESTMENT PROGRAM).

"Capital expenditures." All costs of capital projects, including, but not limited to, the costs of acquisition, construction, installation, start-up of operations, improvements and all work and materials incident thereto. At the discretion of the department, preventive maintenance expenses, as defined by the Federal Transit Administration, may be deemed eligible as a capital expenditure based on written approval by the department.

Section 3. Section 1506(b)(1), (c) and (e) of Title 74 are amended to read:

§ 1506. Fund.

(b) Deposits to fund by department.---

(1) The following apply:

(i) [Except as provided under subparagraph (ii), upon] Upon receipt, the department shall deposit into the
fund the revenues received by the department under 75 Pa.C.S. Ch. 89 (relating to Pennsylvania Turnpike) and the lease agreement executed between the department and the Pennsylvania Turnpike Commission under 75 Pa.C.S. § 8915.3 (relating to lease of Interstate 80; related agreements) [as follows:

(A) For fiscal year 2007-2008, $250,000,000.
(B) For fiscal year 2008-2009, $250,000,000.
(C) For fiscal year 2009-2010, $250,000,000.
(D) For fiscal year 2010-2011 and each fiscal year thereafter, the amount calculated for the previous fiscal year, increased by 2.5%.
(ii) The deposits made to the fund under this subsection shall equal [[$250,000,000] $305,000,000 for fiscal years 2013-2014 and 2014-2015, $360,000,000 for fiscal years 2015-2016 and 2016-2017 and $415,000,000 annually for each fiscal year commencing [after the expiration of the conversion period if the conversion notice is not received by the secretary prior to expiration of the conversion period as set forth under 75 Pa.C.S. § 8915.3(3)] with fiscal year 2017-2018.

* * *

(c) Other deposits.--The following shall be deposited into the fund annually:

(1) 4.4% of the amount collected under Article II of the Tax Reform Code. Revenues under this paragraph shall be deposited into the fund by the 20th day of each month for the preceding month. The amount deposited under this paragraph is estimated to be equivalent to the money available to the department from the following sources:
(i) The Supplemental Public Transportation Account established under former section 1310.1 (relating to supplemental public transportation assistance funding).

(ii) The amount appropriated annually by the Commonwealth from the General Fund for mass transit programs pursuant to a General Appropriations Act.

(2) An amount of proceeds of Commonwealth capital bonds as determined annually by the Secretary of the Budget.

(3) Revenue in the Public Transportation Assistance Fund established under Article XXIII of the Tax Reform Code not otherwise dedicated pursuant to law.

(4) The revenues from the surcharge imposed under 75 Pa.C.S. § 6506(a.1) (relating to surcharge).

(5) The revenues deposited in the fund in accordance with 75 Pa.C.S. § 3111(a.1)(2)(ii) (relating to obedience to traffic-control devices).

(5.1) If, by July 1, 2021, legislation is not enacted to replace the revenue deposited in the fund under subsection (B)(1), in fiscal year 2021-2022 and in each fiscal year thereafter, the following shall apply:

(I) An amount equal to that revenue shall be deposited in the fund.

(II) Notwithstanding any other provision of law, the source of the revenue deposited in the fund under this paragraph shall be the receipts from the tax collected under section 238 of the Tax Reform Code on motor vehicles, trailers and semi-trailers.

(6) Other appropriations, deposits or transfers to the fund.

* * *
(e) Program funding amounts.—Subject to available funds, the programs established under this chapter shall be funded annually as follows:

(1) For the program established under section 1513 (relating to operating program), the following amounts shall be allocated from the fund:

(i) [All] From the revenues deposited in the fund under subsection (b)(1).

(A) For fiscal years 2013-2014 and 2014-2015, $162,000,000.

(B) For fiscal years 2015-2016 and 2016-2017, $118,500,000.

(C) For fiscal year 2017-2018 and each fiscal year thereafter, $75,000,000.

(ii) All revenues deposited in the fund under subsection (b)(2).

(iii) [69.99%] 86.76% of the revenues deposited in the fund under subsection (c)(1).

(iv) All revenues deposited into the fund under subsection (c)(3).

(v) The following percentages of the revenues deposited in the fund in accordance with 75 Pa.C.S. § 1904 (relating to collection and disposition of fees and moneys):

(A) For fiscal years 2013-2014 and 2014-2015, 10%.

(B) For fiscal years 2015-2016 and 2016-2017, 43.6%.

(C) For fiscal year 2017-2018 and each fiscal year thereafter, 77%.
(i) Except as provided under subparagraph (ii), for the program established under section 1514 (relating to asset improvement program):

(A) By the proceeds of Commonwealth capital bonds deposited into the fund under subsection (c) (2).

[(A.1) For fiscal year 2007-2008, $50,000,000 from the revenues received by the department under 75 Pa.C.S. Ch. 89 and the lease agreement executed between the department and the Pennsylvania Turnpike Commission under 75 Pa.C.S. § 8915.3. The amount received by the department under this section shall be deposited into the fund prior to distribution and shall be in addition to the amounts received under subsection (b)(1).

(B) For fiscal year 2008-2009, $100,000,000 from the revenues received by the department under 75 Pa.C.S. Ch. 89 and the lease agreement executed between the department and the Pennsylvania Turnpike Commission under 75 Pa.C.S. § 8915.3. The amount received by the department under this section shall be deposited into the fund prior to distribution and shall be in addition to the amounts received under subsection (b)(1).

(C) For fiscal year 2009-2010, $150,000,000 from the revenues received by the department under 75 Pa.C.S. Ch. 89 and the lease agreement executed between the department and the Pennsylvania Turnpike Commission under 75 Pa.C.S. § 8915.3. The amount received by the department under this section shall
be deposited into the fund prior to distribution and shall be in addition to the amounts received under subsection (b)(1).

(D) For fiscal year 2010-2011 and each fiscal year thereafter, the amount calculated for the prior fiscal year increased by 2.5% from the revenues received by the department under 75 Pa.C.S. Ch. 89 and the lease agreement executed between the department and the Pennsylvania Turnpike Commission under 75 Pa.C.S. § 8915.3. The amount received by the department under this section shall be deposited into the fund prior to distribution and shall be in addition to the amounts received under subsection (b)(1).

(E) Ninety five percent of the remaining revenue deposited in the fund under subsection (b)(1), after the allocation of $30,000,000 to the Multimodal Transportation Fund under section 2102 (relating to deposits to fund).

(F) The revenues deposited in the fund under subsection (c)(4) and (5).

[(ii) If the conversion notice is not received by the secretary prior to the end of the conversion period as set forth in 75 Pa.C.S. § 8915.3(3), no additional allocation shall be made under subparagraph (i).

(3) For the program established under section 1516 (relating to programs of Statewide significance), 13.24% of the revenues deposited in the fund under subsection (c)(1) shall be allocated from the fund in addition to the remaining revenue deposited in the fund under subsection (b)(1).]
[(4) For the program established under section 1517
(relation to capital improvements program), 16.77% of the
revenues deposited in the fund under subsection (c)(1).
Additional funds for this program may be provided from the
funds allocated but not distributed based on the limitation
set forth under section 1513(c)(3).]

(5) FOR THE PROGRAM ESTABLISHED UNDER SECTION 1517.1
(RELATING TO ALTERNATIVE ENERGY CAPITAL INVESTMENTS PROGRAM),
NO MORE THAN $60 MILLION OF THE REVENUES DEPOSITED IN THE
FUND UNDER SUBSECTION (C) MAY BE ALLOCATED FROM THE FUND.

Section 4. Section 1507(a)(6) and (c) of Title 74 are
amended and subsection (a) is amended by adding a paragraph to
read:
§ 1507. Application and approval process.
(a) Application.--An eligible applicant that wishes to
receive financial assistance under this chapter shall submit a
written application to the department on a form developed by the
department, which shall include the following:

* * *

(6) Evidence satisfactory to the department of the
commitment for matching funds required under this chapter
sufficient to match the projected financial assistance
payments [at the same times that the financial assistance
payments are to be provided.], provided no later than June 30
of the applicable fiscal year. If the evidence required under
this paragraph is not provided to the satisfaction of the
department, subsequent funding under section 1513 (relating
to operating program) shall be withheld until the applicant
meets the requirements of this paragraph.

(6.1) A statement of policy outlining the basic
principles for the adjustment of fare growth to meet the rate of inflation.

* * *

(c) Restriction on use of funds.--[Financial] Unless the department grants the award recipient a waiver allowing the funds to be used for a different purpose, financial assistance under this chapter shall be used only for activities set forth under the financial assistance agreement [unless the department grants the award recipient a waiver allowing the funds to be used for a different purpose]. The department's regulations shall describe circumstances under which it will consider waiver requests and shall set forth all information to be included in a waiver request. The [maximum duration of a waiver shall be one year, and a] waiver request shall include a plan of corrective action to demonstrate that the award recipient does not have an ongoing need to use financial assistance funds for activities other than those for which funds were originally awarded. The duration of the waiver may not exceed the duration of the plan of corrective action. The department shall monitor implementation of the plan of corrective action. If the plan of corrective action is not implemented by the local transportation organization, the department shall rescind the waiver approval.

Section 5. Sections 1511 and 1512 of Title 74 are amended to read:

§ 1511. Report to Governor and General Assembly.

[The following shall apply:

(1) Except as provided in paragraph (2), the] The department shall submit a public passenger transportation performance report to the Governor and the General Assembly by April 30 of each year, covering the prior fiscal year.
(2) The report covering the 2005-2006 fiscal year shall be submitted by July 31, 2007.]

§ 1512. Coordination and consolidation.

(a) Coordination.--Coordination is required in regions where two or more award recipients have services or activities for which financial assistance is being provided under this chapter to assure that the services or activities are provided efficiently and effectively.

(b) Consolidation.--

(1) The department shall study the consolidation of local transportation organizations as a means of reducing annual expenses incurred by local transportation organizations. The study shall examine the creation of service regions to determine whether consolidation would result in reduced annual expenses for the local transportation organizations proposed to be consolidated.

(2) If the results of the study under paragraph (1) conclude that consolidation will result in estimated annual savings to one or more of the local transportation organizations of at least $2,000,000 or 25% of the local match contribution under section 1513 (relating to operating program) at the time of completion of the study, the local transportation organization and municipality shall implement the recommended action or provide increased local matching funds equal to 25% of the transportation organization's and local government's financial assistance under section 1513.

(3) The department shall waive the match increase under paragraph (2) for a local transportation organization or municipality if the local transportation organization or municipality is the only entity willing to consolidate in...
accordance with paragraph (2) and no consolidation occurs.

(c) Funding for consolidation incentives.--A capital project that is necessary to support a local transportation organization that has agreed to consolidate operations and administration to achieve cost and service efficiencies shall be eligible for financial assistance under this chapter. The application for financial assistance must:

(1) identify the efficiencies in a consolidation plan;

and

(2) include the expected dollar savings that will result from the consolidation.

Section 6. Section 1514 of Title 74 is amended by adding a subsection to read:

§ 1514. Asset improvement program.

* * *

(e.1) Distribution.--The department shall allocate financial assistance under this section on a percentage basis of available funds each fiscal year as follows:

(1) The local transportation organization organized and existing under Chapter 17 (relating to metropolitan transportation authorities) as the primary provider of public passenger transportation for the counties of Philadelphia, Bucks, Chester, Delaware and Montgomery, shall receive 69.4% of the funds available for distribution under this section.

(2) The local transportation organization organized and existing under the act of April 6, 1956 (1955 P.L.1414, No.465), known as the Second Class County Port Authority Act, as the primary provider of public transportation for the county of Allegheny, shall receive 22.6% of the funds available for distribution under this section.
(3) Other local transportation organizations organized and existing as the primary providers of public passenger transportation for the counties of this Commonwealth not identified under paragraph (1) or (2) shall receive 8% of the funds available for distribution under this section. The department shall allocate the funds under this paragraph among the local transportation organizations.

(4) Notwithstanding paragraphs (1), (2) and (3) and before distributing the funds under paragraph (1), (2) or (3), the department shall set aside 5% of the funds available for distribution under this section for discretionary use and distribution by the secretary.

* * *

Section 7. Sections 1516(b) and (e) of Title 74 are amended to read:

§ 1516. Programs of Statewide significance.

* * *

(b) Persons with disabilities.--The department shall establish and administer a program providing reduced fares to persons with disabilities on community transportation services and to provide financial assistance for start-up, administrative and capital expenses related to reduced fares for persons with disabilities. All of the following shall apply:

(1) A community transportation system operating in the Commonwealth other than in [counties of the first and second class] a county of the first class may apply for financial assistance under this subsection.

(2) The department may award financial assistance under this subsection for program start-up and for continuing capital expenses to offset administrative and capital
expenses. For community transportation trips made by eligible persons with disabilities, financial assistance may be awarded to an eligible community transportation system to reimburse the system for up to 85% of the fare established for the general public for each trip which is outside of fixed-route and paratransit service areas and not eligible for funding from any other program or funding source. The person making the trip or an approved third-party sponsor shall contribute the greater of 15% of the fare established for the general public or the Americans with Disabilities Act complementary paratransit fare.

* * *

(e) Technical assistance [and] demonstration and emergency.--The department is authorized to provide financial assistance under this section for technical assistance, research and short-term demonstration or emergency projects. All of the following shall apply:

(1) A local transportation organization or an agency or instrumentality of the Commonwealth may apply to the department for financial assistance under this subsection.

(2) Financial assistance provided under this subsection may be used for reimbursement for any approved operating or capital costs related to technical assistance and demonstration program projects. Financial assistance for short-term demonstration projects may be provided at the department's discretion on an annual basis based on the level of financial commitment provided by the award recipient to provide ongoing future funding for the project as soon as the project meets the criteria established by the department and the award recipient. Financial assistance for this purpose
shall not be provided for more than three fiscal years. Financial assistance may be provided to meet any short-term emergency need that requires immediate attention and cannot be funded through other sources.

(3) Financial assistance under this subsection provided to a local transportation organization shall be matched by local or private cash funding in an amount not less than 3.33% of the amount of the financial assistance being provided. The sources of funds for the local match shall be subject to the requirements of section 1513(d)(3) (relating to operating program).

(4) As follows:

   (i) For short-term demonstration projects awarded financial assistance under this subsection, the department shall determine if the demonstration project was successful based upon the performance criteria established prior to the commencement of the demonstration project and approved by the department.

   (ii) If the department determines that the demonstration project was successful, the local transportation organization or agency or instrumentality of the Commonwealth that conducted the demonstration project shall be eligible to apply for and receive funds under section 1513 to sustain and transition the demonstration project into regular public passenger transportation service.

   (iii) During the first year in which the demonstration project is eligible for and applies for financial assistance under section 1513, the local transportation organization or agency or instrumentality
of the Commonwealth that conducted the demonstration project and transitioned it to regular public passenger transportation service shall be eligible to receive financial assistance up to 65% of the transportation service's prior fiscal year operating costs or expenses for the service as an initial base operating allocation.

(iv) The initial base operating allocation shall be taken from the growth under section 1513 over the prior year before distributing the remainder of the formula described in section 1513.

Section 8. Section 1517 of Title 74 is repealed:

[§ 1517. Capital improvements program.]

(a) Eligibility.--A local transportation organization may apply for financial assistance under this section.

(b) Applications.--The department shall establish the contents of the application for the program established under this section. The information shall be in addition to information required under section 1507 (relating to application and approval process).

(c) Distribution formula.--The department shall award financial assistance under this section based on the number of passengers. The actual amount awarded to a local transportation organization under this subsection shall be calculated as follows:

(1) Multiply the local transportation organization's passengers by the total amount of funding available under this section.

(2) Divide the product under paragraph (1) by the sum of the passengers for all qualifying local transportation organizations.
(d) Payments.--Financial assistance under this section shall be paid to local transportation organizations at least quarterly.

(e) Reduction in financial assistance.--Financial assistance provided to a local transportation organization under this section shall be reduced by any financial assistance received previously under this section which has not been spent or committed in a contract within three years of its receipt.]

SECTION 8.1. TITLE 74 IS AMENDED BY ADDING A SECTION TO READ:

§ 1517.1. ALTERNATIVE ENERGY CAPITAL INVESTMENT PROGRAM.

(A) ESTABLISHMENT.--THE DEPARTMENT IS AUTHORIZED TO ESTABLISH A COMPETITIVE GRANT PROGRAM TO IMPLEMENT CAPITAL IMPROVEMENTS DEEMED NECESSARY TO SUPPORT CONVERSION OF A LOCAL TRANSPORTATION ORGANIZATION'S FLEET TO AN ALTERNATIVE ENERGY SOURCE, INCLUDING COMPRESSED NATURAL GAS.

(B) CRITERIA.--THE DEPARTMENT SHALL ESTABLISH CRITERIA FOR AWARDING GRANTS UNDER THIS SECTION. CRITERIA SHALL, AT A MINIMUM, INCLUDE FEASIBILITY, COST/BENEFIT ANALYSIS AND PROJECT READINESS.

(C) ADDITIONAL AUTHORIZATION.--NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS SECTION OR OTHER LAW, THE DEPARTMENT MAY USE FUNDS DESIGNATED FOR THE PROGRAM ESTABLISHED UNDER SUBSECTION (A) TO SUPPLEMENT A LOCAL TRANSIT ORGANIZATION'S BASE OPERATING ALLOCATION UNDER SECTION 1513 (RELATING TO OPERATING PROGRAM) IF NECESSARY TO STABILIZE AN OPERATING BUDGET AND ENSURE THAT EFFICIENT SERVICES MAY BE SUSTAINED TO SUPPORT ECONOMIC DEVELOPMENT AND JOB CREATION AND RETENTION.

Section 9. Title 74 is amended by adding a chapter to read:

CHAPTER 21
Sec.

2101. Multimodal Transportation Fund.

2102. Deposits to fund.

2103. Use of revenue.

2104. Distribution of revenue.

2105. Project selection criteria and agreement.

2106. Local match.

§ 2101. Multimodal Transportation Fund.

A special fund is established within the State Treasury to be known as the Multimodal Transportation Fund. Money in the fund is appropriated to the department for the purposes authorized under this chapter.

§ 2102. Deposits to fund.

The following shall be deposited in the Multimodal Transportation Fund:

(1) Thirty million dollars of the revenue deposited in the Public Transportation Trust Fund under section 1506(b)(1) (relating to fund).

(2) Twenty-three percent of the revenues deposited in the fund in accordance with 75 Pa.C.S. § 1904 (b)(2) (relating to collection and disposition of fees and moneys).

(3) For fiscal year 2015-2016 and each fiscal year thereafter, $20,000,000 THE AMOUNT ALLOCATED from the oil company franchise tax imposed under 75 Pa.C.S. § 9502 (relating to imposition of tax) to be expended in accordance with section 11 of Article VIII of the Constitution of Pennsylvania.

(4) Other appropriations, deposits or transfers to the fund.
§ 2103. Use of revenue.

Money UPON AGREEMENT OF A MAJORITY AMONG THE CHAIRMAN AND MINORITY CHAIRMAN OF THE TRANSPORTATION COMMITTEE OF THE SENATE AND OF THE CHAIRMAN AND MINORITY CHAIRMAN OF THE TRANSPORTATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES, MONEY in the fund shall be used by the department as follows:

(1) To provide grants through the department's programs relating to aviation, rail freight, passenger rail, port and waterway, bicycle and pedestrian facilities, road and bridge and other transportation modes.

(2) For costs incurred by the department in the administration of a program specified under paragraph (1).

(3) To incur costs for activities initiated or undertaken directly by the department related to the programs under paragraph (1).

§ 2104. Distribution of revenue.

The revenue deposited in the fund shall be distributed annually as follows:

(1) Six million dollars shall be designated for programs related to aviation.

(2) Six TEN million dollars shall be designated for programs related to rail freight.

(3) Four FIVE AND ONE-HALF million dollars shall be designated for programs related to rail passengers.

(4) Four EIGHT million dollars shall be designated for programs related to ports and waterways.

(5) TWO MILLION DOLLARS FOR PROGRAMS RELATED TO BICYCLE AND PEDESTRIAN FACILITIES.

(6) THE DEPARTMENT MAY PROVIDE GRANTS FROM MONEY
AVAILABLE UNDER PARAGRAPH (7) FOR THE FOLLOWING:

(I) PROJECTS WHICH COORDINATE LOCAL LAND USE WITH TRANSPORTATION ASSETS TO ENHANCE EXISTING COMMUNITIES.

(II) STREETSCAPE, LIGHTING, SIDEWALK ENHANCEMENT, PEDESTRIAN SAFETY AND RELATED PROJECTS.

(III) PROJECTS IMPROVING CONNECTIVITY OR UTILIZATION OF EXISTING TRANSPORTATION ASSETS.

§ 2105. Project selection criteria and agreement.

The department shall award grants under this chapter on a competitive basis. The department may not reserve, designate or set aside a specific level of funds or percentage of funds to an applicant prior to the completion of the application process, nor may the department designate a set percentage of funds to an applicant.

§ 2106. Local match.

Financial assistance under this section shall be matched by county, municipal or private funding in an amount not less than 30% of the non-Federal share of the project cost. Matching funds from a county or municipality shall only consist of cash contributions provided by one or more counties or municipalities.

SECTION 9.1. CHAPTER 59 OF TITLE 74 IS AMENDED BY ADDING A SUBCHAPTER TO READ:

SUBCHAPTER C
FIRST CLASS CITY CONSOLIDATED CAR RENTAL FACILITY
SEC.
5931. SCOPE OF SUBCHAPTER.
5932. DEFINITIONS.
5933. CUSTOMER FACILITY CHARGE.

§ 5931. SCOPE OF SUBCHAPTER.

THIS SUBCHAPTER RELATES TO FIRST CLASS CITY CONSOLIDATED RENTAL CAR FACILITIES.

§ 5932. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

"AIRPORT." A PUBLIC INTERNATIONAL AIRPORT LOCATED PARTIALLY IN A CITY OF THE FIRST CLASS AND PARTIALLY IN AN ADJACENT MUNICIPALITY.

"AIRPORT OWNER." ANY OF THE FOLLOWING:

(1) A CITY WHICH OWNS AND OPERATES AN AIRPORT.

(2) AN AUTHORITY CREATED BY A CITY OF THE FIRST CLASS TO OWN AND OPERATE AN AIRPORT OR ANY PORTION OR ACTIVITIES OF THE AIRPORT.

"AIRPORT PROPERTY." PROPERTY OWNED AND OPERATED BY AN AIRPORT OWNER, INCLUDING PROPERTY THAT IS LEASED, LICENSED OR AVAILABLE FOR USE BY THE AIRPORT OWNER.

"CITY." A CITY OF THE FIRST CLASS.

"CONCESSION AGREEMENT." A REGULATION, CONTRACT, PERMIT, LICENSE OR OTHER AGREEMENT ENTERED INTO BETWEEN AN AIRPORT OWNER AND A VEHICLE RENTAL COMPANY WHICH INCLUDES THE TERMS AND CONDITIONS UNDER WHICH THE COMPANY MAY TRANSACT ITS RENTAL VEHICLE BUSINESS AT THE AIRPORT OR ON AIRPORT PROPERTY.

"CUSTOMER FACILITY CHARGE." A FEE ASSESSED ON EACH MOTOR VEHICLE RENTAL FEE UNDER THIS SUBCHAPTER FOR THE PURPOSE OF FUNDING ALL OR PART OF THE COST OF:

(1) A RENTAL FACILITY.

(2) A RENTAL FACILITY IMPROVEMENT.
(3) THE PROPORTIONATE COST OF A TRANSPORTATION SYSTEM.

(4) A RENTAL FACILITY OPERATION AND MAINTENANCE EXPENSE.

"MOTOR VEHICLE." A PRIVATE PASSENGER MOTOR VEHICLE THAT MEETS ALL OF THE FOLLOWING:

(1) IS DESIGNED TO TRANSPORT NOT MORE THAN 15 PASSENGERS.

(2) IS RENTED FOR NOT MORE THAN 30 DAYS WITHOUT A DRIVER.

(3) IS PART OF A FLEET OF AT LEAST FIVE PASSENGER VEHICLES USED FOR THE PURPOSE UNDER PARAGRAPH (2).

(4) IS OWNED OR LEASED BY A VEHICLE RENTAL COMPANY.

"RENTAL FACILITY." A CONSOLIDATED FACILITY FOR THE USE OF A VEHICLE RENTAL COMPANY TO CONDUCT BUSINESS ON AIRPORT PROPERTY.

"RENTAL FACILITY AGREEMENT." AN AGREEMENT ENTERED INTO BETWEEN AN AIRPORT OWNER AND A VEHICLE RENTAL COMPANY WHICH INCLUDES THE FOLLOWING:

(1) LOCATION, SCOPE OF OPERATIONS AND GENERAL DESIGN OF THE RENTAL FACILITY, RENTAL FACILITY IMPROVEMENTS AND A TRANSPORTATION SYSTEM WHICH CONNECTS TO A TERMINAL OR RELATED STRUCTURE.

(2) THE MANNER IN WHICH THE PROCEEDS OF THE CUSTOMER FACILITY CHARGE ARE TO BE USED FOR THE DEVELOPMENT, OPERATION, MAINTENANCE AND FUNDING OF A RENTAL FACILITY, A RENTAL FACILITY IMPROVEMENT, THE PROPORTIONATE COST OF A TRANSPORTATION SYSTEM AND THE COST OF OPERATIONS AND MAINTENANCE.

(3) A PROCEDURE AND REQUIREMENT FOR A CONSULTATION REGARDING THE IMPLEMENTATION OF THIS SUBCHAPTER AND THE DISCLOSURE TO VEHICLE RENTAL COMPANIES OF INFORMATION RELATING TO THE COLLECTION AND USE OF THE CUSTOMER FACILITY
CHARGE.

(4) A METHODOLOGY AND PROCEDURE BY WHICH THE AMOUNT OF
THE CUSTOMER FACILITY CHARGE WILL BE CALCULATED AND ADJUSTED.
"RENTAL FACILITY IMPROVEMENT." A FACILITY OR STRUCTURE ON
AIRPORT PROPERTY THAT IS FOR THE COMMON USE OF VEHICLE RENTAL
COMPANIES. THE TERM SHALL INCLUDE PLANNING, FINANCE, DESIGN,
CONSTRUCTION, EQUIPPING OR FURNISHING OF THE FACILITY OR
STRUCTURE.

"RENTAL FACILITY OPERATIONS AND MAINTENANCE." THE COST OF
OPERATING AND MAINTAINING A RENTAL FACILITY, INCLUDING THE DAY-
TO-DAY COST.

"TRANSPORTATION SYSTEM." A SYSTEM WHICH TRANSPORTS AN
ARRIVING OR DEPARTING VEHICLE RENTAL CUSTOMER BETWEEN A TERMINAL
AND RELATED STRUCTURE AND THE RENTAL FACILITY.

"VEHICLE RENTAL COMPANY." A BUSINESS ENTITY WHICH MEETS ALL
OF THE FOLLOWING:

(1) IS ENGAGED IN THE BUSINESS OF RENTING A MOTOR
VEHICLE IN THIS COMMONWEALTH TO A CUSTOMER USING AIRPORT
PROPERTY.

(2) OPERATES FROM AN ON-AIRPORT OR AN OFF-AIRPORT
FACILITY.

§ 5933. CUSTOMER FACILITY CHARGE.

(A) IMPOSITION.--A CITY MAY IMPOSE A CUSTOMER FACILITY
CHARGE OF NOT MORE THAN $8 PER RENTAL DAY ON A CUSTOMER RENTING
A MOTOR VEHICLE FROM A VEHICLE RENTAL COMPANY DOING BUSINESS AT
AN AIRPORT. A CUSTOMER FACILITY CHARGE MAY:

(1) BE IMPOSED NOTWITHSTANDING THE ABSENCE OF AUTHORITY
IN A REGULATION, ON-AIRPORT CONCESSION AGREEMENT OR OFF-
AIRPORT CONCESSION AGREEMENT OR PERMIT; AND

(2) NOT AFFECT THE VALIDITY OR ENFORCEABILITY OF A
CONCESSION AGREEMENT OR PERMIT.

(B) AMENDMENT.--THE FOLLOWING SHALL APPLY:

(1) AFTER EXECUTING A RENTAL FACILITY AGREEMENT WITH EACH VEHICLE RENTAL COMPANY, THE FOLLOWING SHALL APPLY:

(I) A CITY MAY INCREASE OR DECREASE THE CUSTOMER FACILITY CHARGE IN AN AMOUNT NECESSARY TO FUND THE COSTS AS AUTHORIZED UNDER THE RENTAL FACILITY AGREEMENT.

(II) THE TERMS OF THE RENTAL FACILITY AGREEMENT MAY BE AMENDED UPON AGREEMENT BY THE AIRPORT OWNER AND EACH VEHICLE RENTAL COMPANY NO MORE THAN ONCE PER CALENDAR YEAR.

(2) AN AMENDED RENTAL FACILITY AGREEMENT MAY AUTHORIZE THE INCREASE OR DECREASE OF THE AMOUNT OF THE CUSTOMER FACILITY CHARGE TO FUND THE CURRENT COSTS AUTHORIZED UNDER THE RENTAL FACILITY AGREEMENT.

(C) ENFORCEMENT.--THE TERMS OF A RENTAL FACILITY AGREEMENT MAY BE INTERPRETED AND ENFORCED BY A COURT OF COMPETENT JURISDICTION THROUGH THE IMPOSITION OF A MANDATORY OR PROHIBITIVE INJUNCTION. MONETARY DAMAGES MAY NOT BE AWARDED TO A VEHICLE RENTAL COMPANY OR TO A PERSON REQUIRED TO PAY THE CUSTOMER FACILITY CHARGE FOR A VIOLATION OF THE TERMS AND CONDITIONS OF THE RENTAL FACILITY AGREEMENT.

(D) TIME LIMITATION.--IF A RENTAL FACILITY AGREEMENT IS NOT EXECUTED WITHIN TWO YEARS OF THE EFFECTIVE DATE OF THE IMPLEMENTATION OF THE CUSTOMER FACILITY CHARGE, A CITY MAY CONTINUE TO IMPOSE AND COLLECT THE CUSTOMER FACILITY CHARGE AUTHORIZED UNDER SUBSECTION (A) OR PROCEED, IN CONSULTATION WITH THE VEHICLE RENTAL COMPANIES, TO PLAN, DESIGN, FINANCE AND CONSTRUCT A FACILITY TO BE USED FOR THE PROVISION OF VEHICLE RENTAL SERVICE ON AIRPORT PROPERTY. THE COST TO A RENTAL VEHICLE
COMPANY OF THE FACILITY AND THE PROPORTIONATE COST OF A
TRANSPORTATION SYSTEM UNDER THIS SUBSECTION MAY NOT EXCEED THE
CUSTOMER FACILITY CHARGE.

(E) ADDITIONAL COST.—A CUSTOMER FACILITY CHARGE SHALL BE IN
ADDITION TO OTHER MOTOR VEHICLE RENTAL FEES AND TAXES IMPOSED
UNDER LAW, EXCEPT THAT THE CUSTOMER FACILITY CHARGE MAY NOT
CONSTITUTE PART OF THE PURCHASE PRICE OF A MOTOR VEHICLE RENTAL
IMPOSED UNDER ANY OF THE FOLLOWING:

(1) ARTICLE II OF THE ACT OF MARCH 4, 1971 (P.L.6,

(2) THE ACT OF JUNE 5, 1991 (P.L.9, NO.6), KNOWN AS THE
PENNSYLVANIA INTERGOVERNMENTAL COOPERATION AUTHORITY ACT FOR
CITIES OF THE FIRST CLASS.

(3) A LAW SIMILAR TO THE STATUTES UNDER PARAGRAPHS (1)
AND (2).

(F) COLLECTION.—THE FOLLOWING SHALL APPLY:

(1) A CUSTOMER FACILITY CHARGE SHALL BE:

(I) COLLECTED FROM A CUSTOMER BY A VEHICLE RENTAL
COMPANY AND HELD IN A SEGREGATED TRUST FUND FOR THE
BENEFIT OF THE AIRPORT OWNER; AND

(II) PAID TO AN AIRPORT OWNER ON OR BEFORE THE LAST
DAY OF THE MONTH FOLLOWING THE MONTH IN WHICH THE
CUSTOMER FACILITY CHARGES ARE COLLECTED.

(2) A CUSTOMER FACILITY CHARGE MAY NOT CONSTITUTE GROSS
RECEIPTS OR INCOME OF A VEHICLE RENTAL COMPANY FOR THE
PURPOSE OF TAX IMPOSED BY THE COMMONWEALTH, THE CITY OR A
MUNICIPALITY.

(3) FUNDS IN A SEGREGATED TRUST FUND UNDER SUBSECTION
(A) MAY NOT BE PLEDGED, SUBJECT TO A LIEN OR ENCUMBERED BY
A VEHICLE RENTAL COMPANY.
USE.--PROCEEDS OF THE CUSTOMER FACILITY CHARGE SHALL BE DEPOSITED BY THE AIRPORT OWNER INTO A SEGREGATED ACCOUNT TO BE USED SOLELY FOR:

1. THE PLANNING, DEVELOPMENT, FINANCING, CONSTRUCTION AND OPERATION OF A RENTAL FACILITY.
2. A RENTAL FACILITY IMPROVEMENT.
3. THE PROPORTIONATE COST OF A TRANSPORTATION SYSTEM.
4. A RENTAL FACILITY OPERATION AND MAINTENANCE.

PLEDGE.--AN AIRPORT OWNER MAY PLEDGE CUSTOMER FACILITY CHARGE REVENUES FOR ANY OF THE FOLLOWING:

1. THE PLANNING AND DESIGN OF A RENTAL FACILITY.
2. THE CREATION AND MAINTENANCE OF REASONABLE RESERVES AND FOR THE PAYMENT OF DEBT SERVICE FOR THE PLANNING AND DESIGN OF A RENTAL FACILITY.

ADMINISTRATION.--AN AIRPORT OWNER MAY DO ANY OF THE FOLLOWING:

1. REQUIRE A VEHICLE RENTAL COMPANY TO PROVIDE PERIODIC STATEMENTS OF ACCOUNT, FILE RETURNS, AUTHORIZE PAYMENTS AND MAINTAIN RECORDS, IN ACCORDANCE WITH THE VEHICLE RENTAL COMPANY'S OBLIGATIONS UNDER THIS SUBCHAPTER.
2. CONDUCT AN EXAMINATION TO ENSURE A VEHICLE RENTAL COMPANY'S COMPLIANCE WITH ITS OBLIGATIONS UNDER THIS SUBCHAPTER AND MAY DO THE FOLLOWING:
   (I) COLLECT AN AMOUNT DUE.
   (II) IMPOSE A LIEN AND FILE A SUIT TO RECOVER AN AMOUNT DUE.
   (III) GRANT A REFUND.
   (IV) REQUIRE THE PAYMENT OF AN AUTHORIZED ADDITION TO A CUSTOMER FACILITY CHARGE, INTEREST AND PENALTY.
   (V) ADOPT RULES AND REGULATIONS TO IMPLEMENT THIS...
SECTION.

(VI) SEEK CRIMINAL PENALTIES, AS PROVIDED FOR A CITY OF THE FIRST CLASS FOR THE COLLECTION OF TAXES, FOR
FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS SUBCHAPTER.

Section 10. The definitions of "electronic toll collection," "owner" and "violation enforcement system" in section 8102 of Title 74 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:

"Automated toll collection." A system of collecting tolls or charges by a device that is capable of accepting coin, currency, cards or tokens for payment of the prescribed toll or charge.

"Certificate of passage." A document signed and certified by a vehicle owner, operator or lessee evidencing his or her agreement to pay the prescribed toll plus a processing fee to the commission within a prescribed period.

"Certificate of passage toll collection." A system of collecting a toll or charge by providing a vehicle owner, operator or lessee with a certificate of passage at a toll collection facility if the owner, operator or lessee does not have sufficient funds to pay the prescribed toll at the time he or she passes through the toll collection facility.

* * *

"Electronic toll collection." A system of collecting tolls or charges [that is capable of charging an account holder for the prescribed toll] by electronic transmission of information
including by use of a device on a vehicle and a device [in a toll lane] at a toll collection facility, open road tolling, video tolling system or other similar structural or technological enhancements related to tolling.

* * *

"Owner." Except as provided under section [8117(e)] 8117 (relating to [electronic] toll collection), [an individual] a person, copartnership, association or corporation having title or interest in a property right, easement or franchise authorized to be acquired under this chapter.

* * *

"Toll collection." A system of collecting tolls or charges that is capable of charging an account holder or vehicle owner, operator or lessee for the prescribed toll by automated toll collection, certificate of passage toll collection or electronic toll collection.

* * *

"Video tolling system." As follows:

(1) A vehicle sensor or other electronic toll collection device, 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 vehicle or vehicle license plate at the time the vehicle is used or operated on the tolled facility in order to collect tolls or detect violations of the toll collection regulations or rules.

(2) The term includes technology other than identified under paragraph (1) which identifies a vehicle by photographic, electronic or other method.

"Violation." The failure to pay the prescribed toll as
provided under section 8117 (a)(1) (relating to toll
collection).

"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 11. Sections 8105(b), 8117 and 9110(f)(5) of Title
74 are amended to read:

§ 8105. Commission.
* * *

(b) Vacancies and terms.--

(1) Notwithstanding any other law, any vacancy in the
membership of the commission shall be filled by appointment
of the Governor by and with the advice and consent of two-
thirds of the members elected to the Senate.

(2) The appointed member shall serve for a term of four
years. Upon the expiration of this term, the appointed member
may continue to hold office for 90 days or until his
successor shall be duly appointed and qualified, whichever is
shorter. A member may not serve more than two terms.
* * *


(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 system.

(2) If a violation of this section is committed, the
registration plate number of the vehicle as recorded by a
violation enforcement system shall establish an inference
that the owner of the vehicle was then operating the vehicle.
The inference shall be overcome if the owner does all of 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, of the operator of the vehicle.

(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.

(4) If the inference is overcome, the operator of the
vehicle may be held liable under this section for failure to
pay the prescribed toll in the same manner as if the operator
were the owner of the vehicle.

(b) Imposition of liability.--Liability under this section
shall be imposed upon an owner for a violation of 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 system, the
following shall apply:

(1) The commission or an authorized agent or employee must prepare and mail a notice of violation as follows:

   (i) The notice of violation 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 must be mailed at the address shown on the vehicle registration or at the address of the operator, as applicable. Notice must be mailed no later than 60 days after:

       (A) the alleged conduct; or

       (B) the date the inference is overcome under subsection (a)(2).

   (iii) Personal service is not required.

   (iv) The notice must contain all of the following:

       (A) Information advising the person charged of the manner and time in which the liability alleged in the notice may be contested.

       (B) A warning advising the person charged that failure to contest in the manner and time provided shall be deemed an admission of liability and that a default judgment may be entered on the notice.]

(1) Notwithstanding any other provision of law, if an operator of a vehicle fails to pay the prescribed toll at a prescribed location by means of toll collection or as directed by official signs posted on the tolled facility in accordance with the rules or regulations instituted for toll collection by the commission, the owner of the vehicle shall be liable to the commission or its authorized agent for failure of the operator of the vehicle to comply with this
section if the violation is evidenced by any of the following:

(i) Information obtained from a video tolling system.

(ii) A certificate of passage that has not been paid within the prescribed time period.

(2) Except for an operator who utilizes certificates of passage toll collection, if an operator of a vehicle fails to pay the prescribed toll as provided under paragraph (1), the registration plate number of the vehicle as recorded by a video tolling system shall establish an inference that the owner of the vehicle was operating the vehicle at the time of the violation. The inference shall be overcome if the owner does all of the following:

(i) Testifies that the owner was not operating the vehicle at the toll facility at the time of the violation.

(ii) Submits to an examination as to who was operating the vehicle at the time of the violation.

(iii) Reveals the name and residence address, if known, of the operator of the vehicle or demonstrates to the reasonable satisfaction of the commission that the vehicle was misidentified.

(3) If an action or proceeding is commenced in a county other than that of the residence of the owner, a verified written statement under 18 Pa.C.S. § 4904 (relating to unsworn falsifications to authorities) setting forth the facts prescribed under paragraph (2) shall suffice to overcome the inference.

(4) A court of competent jurisdiction shall admit as
prima facie evidence the verified statement relied upon under paragraph (3). The operator of the vehicle may be held liable under this section for failure to pay the prescribed toll in the same manner as if the operator were the owner of the vehicle if any of the following apply:

(i) The inference is overcome.

(ii) The operator of the vehicle utilized certificate of passage toll collection.

(b) Imposition of liability.--Liability under this section shall be imposed upon an owner, including a person, lessee or operator who becomes liable in the same manner as if the person was an owner under this section, for a violation of this section or the regulations or rules of the commission occurring within the territorial limits of this Commonwealth. If a violation is committed as evidenced by information obtained from a video tolling system or certificate of passage, the following shall apply:

(1) The commission or an authorized agent or employee shall prepare and mail a notice of violation as follows:

(i) The notice of violation shall 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 shall be mailed to the address shown on the vehicle registration or to the address of the operator, as applicable. Notice shall be mailed no later than 120 days after one of the following:

(A) The date of the alleged conduct.

(B) The date the inference is overcome in subsection (a)(2).

(C) The date that a lessor provides the
information required under subsection (b)(3) in a manner that the lessee of the vehicle on the date of violation is deemed to be the owner of the vehicle for purposes of this section.

(iii) Personal service of the notice shall not be required.

(iv) The notice shall include all of the following:

(A) The date, time and location of the alleged violation and, if available, the license plate number of the vehicle.

(B) Information advising the person charged of the manner and time in which the liability alleged in the notice may be contested.

(C) A warning advising the person charged that failure to contest in the manner and time provided shall be deemed an admission of liability, that a default judgment may be entered on the notice and that the failure to pay all unpaid tolls, administrative fees and costs may result in suspension of registration of a vehicle registered to the person by the department.

(v) A single notice with respect to multiple violations may be sent if the notice meets the requirements of this paragraph.

(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.

(2) If an owner of a vehicle or an owner that is a lessor of a vehicle receives a notice of violation 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 occurred and that the vehicle had not been recovered by the time of the violation. 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 or its authorized agent within 30 days after receiving the original notice of violation. Failure to send the information within the time limit under this paragraph shall render the owner or lessor liable for the penalty prescribed by this section.

(3) An owner that is a lessor of a vehicle as to which a notice of violation was issued under paragraph (1) shall not be liable for a violation if the owner sends to the commission or its authorized agent a copy of the rental, lease or other contract document covering the vehicle on the date of the violation, with the name and address of the lessee clearly legible to the commission, within 30 days after receiving the original notice of violation. Failure to send the information within the time limit under this paragraph shall render the lessor liable for the penalty 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 shall be deemed to be the owner of the vehicle for purposes of this section and shall be subject to liability for the penalty 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 rules or regulations of the commission based upon [the recorded information obtained from a violation enforcement system] any of the following shall be prima facie evidence of the facts contained in the report and shall be admissible as an official record of regularly conducted activity of the commission kept in the ordinary course of business in any proceeding charging a violation of this section or the toll collection rules or regulations of the commission:

(i) The recorded information obtained from a video tolling system.

(ii) A certificate of passage.

(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 rules or 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 rules or 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] a 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 account holders and other
users of toll collection, deducting toll charges from the
account of an account holder, enforcing toll collection
laws and related rules and regulations or enforcing the
provisions of an account holder agreement.

(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 a violation of this
section shall be civilly liable to the commission or tolling
entity as defined in 75 Pa.C.S. § 1380(j) (relating to
suspension of registration upon unpaid tolls) 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
determination. 

(ii) [A reasonable administrative fee not to exceed
$35 per notification.] Fees and costs in an amount
sufficient to cover the reasonable costs of collecting
the amounts under subparagraph (i) but no greater than an
amount set by the commission or its authorized agent or
tolling entity as defined in 75 Pa.C.S. § 1380(j).

(8.1) The following shall apply:

(i) Upon failure of an owner, operator or lessee to
pay the amount, fee and cost imposed under paragraph (8),
the commission or its authorized agent shall send to the
owner, operator or lessee a notice of any toll evasion
violation setting forth the outstanding unpaid tolls and
administrative fees and costs due to the commission and
meeting the requirements of paragraph (1).

(ii) The department shall suspend the registration
of a vehicle upon the notification from the commission or
its authorized agent that the statutory owner or
registrant of the vehicle has failed to pay or defaulted
in the payment of six or more violations issued under
subsection (a)(1) or incurred unpaid tolls or
administrative fees or costs that total a minimum of
$500. The suspension shall not be construed to limit the
commission's or its authorized agent's ability to recoup
tolls, administrative fees or costs.

(iii) Prior to notifying the department under
subsection (iv), the commission or its authorized agent
shall provide the statutory owner or registrant written
notice by first class mail of its intent to seek
suspension of the vehicle registration under this section
and afford the statutory owner or registrant with the
opportunity to be heard during an administrative
proceeding.

(iv) The following shall apply:

(A) No sooner than 30 days after mailing the
notice required under subparagraph (iii), the
commission or its authorized agent may notify the
department electronically, in a format prescribed by
the department, if a statutory owner or registrant
fails to respond, fails to pay, defaults in payment
of six or more violations issued under subsection (a)
(1) or incurs unpaid tolls or administrative fees or
costs that total a minimum of $500.

(B) If a notice has been provided under clause
(A) and all of the violations are subsequently paid,
dismissed, reversed on appeal or canceled, the
commission or its authorized agent shall notify the
department electronically, in a format prescribed by
the department, of the disposition of the violation
and shall provide the statutory owner or registrant
with a release from the suspension.

(v) A suspension under subparagraph (ii) shall

20130SB0001PN1162 - 47 -
continue until the department receives notice from the
commission or its authorized agent that all of the
violations are paid, dismissed, reversed on appeal or
canceled or the defendant enters into an agreement with
the commission or its authorized agent to make
installment payments for the tolls, administrative fees
and costs imposed and pays the fee prescribed under 75
Pa.C.S. § 1960 (relating to reinstatement of operating
privilege or vehicle registration), except that the
suspension may be reimposed by the department if the
defendant fails to make regular installment payments.

(vi) The department shall impose an additional
period of registration suspension if, subsequent to the
issuance of a suspension under subparagraph (ii), and
prior to the restoration of the registration, the
department is notified by the commission or its
authorized agent that the statutory owner or registrant
has failed to respond, failed to pay or defaulted in the
payment of an additional violation issued under
subsection (a)(1).

(vii) A suspension may not be imposed based upon a
violation of subsection (a)(1) more than three years
after the violation is committed.

(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 rules or regulations of the
commission.

(c) Placement of electronic toll collection device.--An
electronic toll collection device which is affixed to the front
windshield of a vehicle in accordance with the rules or
regulations of the commission shall not be deemed to constitute a violation of 75 Pa.C.S. § 4524 (relating to windshield obstructions and wipers).

(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 account of an electronic toll collection system account holder:

(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 rules or regulations of the commission. This subparagraph includes names, addresses, account numbers, account balances, personal financial information, credit card information, vehicle movement records and other information compiled from transactions with the account holders.

(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 rules or regulations of the commission or a violation of 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 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, deducting toll charges from the account of an account holder, enforcing toll collection laws and related rules or regulations or enforcing the provisions of an account holder agreement.

(d.1) Temporary regulations.--Notwithstanding any other law, regulations promulgated by the commission during the two years following the effective date of this subsection shall be deemed temporary regulations which shall expire no later than three years following the effective date of this subsection or upon promulgation of final regulations. The temporary regulations shall not be subject to any of the following:


(e) [Definition.--As used in this section, the term "owner" means any person, corporation, firm, partnership, agency, association, organization or lessor that, at the time a vehicle
is operated in violation of this section or regulations of the commission:

(1) is the beneficial or equitable owner of the vehicle;
(2) has title to the vehicle; or
(3) is the registrant or coregistrant of the vehicle registered with the department or a comparable agency of another jurisdiction or uses the vehicle in its vehicle renting or leasing business. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person.

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:

"Owner." As follows:

(1) A person, corporation, firm, partnership, agency, association, organization, governmental entity or lessor that, at the time a vehicle is operated in violation of this section or rules or regulations of the commission, meets any of the following:
   (i) Is the beneficial or equitable owner of the vehicle.
   (ii) Has title to the vehicle.
   (iii) Is the registrant or coregistrant of the vehicle registered with the department or a comparable agency of another jurisdiction or uses the vehicle in its vehicle renting or leasing business.
(2) The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person.

"Statutory owner." The term shall have the same meaning as
given to the term "owner" in 75 Pa.C.S. § 102 (relating to definitions).

§ 9110. Public-private transportation partnership agreement.

* * *

(f) User fees.--A provision establishing whether user fees will be imposed for use of the public-private transportation project and the basis by which any user fees will be imposed and collected shall be determined in the public-private transportation partnership agreement. If a user fee is proposed as part of the public-private transportation project, a proprietary public entity shall include provisions in the agreement that authorize the collection of user fees, tolls, fares or similar charges, including provisions that:

* * *

(5) In the event an operator of a vehicle fails to pay the prescribed toll or user fee at any location on a public-private transportation project where tolls or user fees are collected by means of an electronic or other automated or remote form of collection, the collection provisions of section 8117 (relating to [electronic] toll collection) shall apply except that the development entity shall possess all of the rights, roles, limitations and responsibilities of the Pennsylvania Turnpike Commission.

* * *

Section 12. Title 74 is amended by adding chapters to read:

CHAPTER 92

TRAFFIC SIGNALS

Sec.

9201. Definitions.

9202. Maintenance agreement.
§ 9201. 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:
"Department." The Department of Transportation of the Commonwealth.
"Municipality." A city, borough, town or township.
"Maintenance." The activity of keeping a traffic signal in proper working condition during the useful life of the traffic signal.
"Replace." The modernization of an existing traffic signal within a designated traffic corridor.
"Synchronize." The coordination of all traffic signals within a designated traffic corridor for the purpose of operating as a single system.
"Timing." The programming of traffic signals within a designated traffic corridor in order to synchronize the signals.

§ 9202. Maintenance agreement.
(a) Agreement.--A municipality may enter into an agreement with the department to replace, synchronize and time traffic signals located within a designated traffic corridor. The terms of the agreement may specify that the municipality provide services to the department. The agreement shall not exceed the time period of the useful life of the traffic signals. The municipality shall, during the duration of the agreement, properly maintain and time the traffic signals in accordance with the agreement.

(b) Intergovernmental cooperation.--Two or more municipalities may enter into an agreement with the department if a designated corridor is located in two or more
municipalities.

(c) Maintenance.--If the department determines that one or more traffic signals located in a traffic corridor is not being maintained or timed in accordance with an agreement under subsection (a), the department shall provide written notice to all municipalities subject to the agreement no less than 60 days prior to taking any action to correct the improper maintenance and timing. The written notice shall specify the maintenance and timing deficiencies that are to be corrected.

(1) A municipality subject to the agreement under subsection (a) shall have 60 days to correct the deficiencies contained in the written notice or to contest, in writing, the findings of the department within 30 days of receipt of the written notice.

(2) The requirement that the municipality correct the deficiencies within 60 days of receipt of the written notice shall be temporarily stayed.

(3) A municipality that contests the deficiencies specified in the written notice shall have 30 days to enter into an agreement with the department related to the deficiencies specified in the written notice.

(4) If the department and the municipality do not enter into an agreement under paragraph (3), the department and the municipality shall agree to binding arbitration with a civil engineer licensed by the Commonwealth who has substantial experience in traffic engineering. The engineer may not be under contract with the department or municipality or municipalities.

(d) Failure of municipality to perform.--If a municipality that has entered into an agreement with the department under
subsection (a) fails to meet the requirements of subsection (c).

(1) or (2), the department may take action to correct the
deficiencies specified in the notice under subsection (c).

(e) Payment for failure to correct deficiencies.--If the
department takes action under subsection (c), the department may
deduct the actual costs of correcting the deficiencies in
maintenance and timing from the payments made to the
municipality under the act of June 1, 1956 (1955 P.L.1944,
No.655), referred to as the Liquid Fuels Tax Municipal
Allocation Law, and 75 Pa.C.S. Chs. 89 (relating to Pennsylvania
Turnpike) and 95 (relating to taxes for highway maintenance and
construction).

CHAPTER 93
BRIDGE BUNDLING PROGRAM

Sec.
9301. Definitions.
9302. Bundling authorization.
9303. Bridge Bundling Program.
9304. Grant limitation exceptions.
§ 9301. 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:

"Bridge budget act." The act of December 8, 1982 (P.L.848,
No. 235), known as the Highway-Railroad and Highway Bridge

"Department." The Department of Transportation of the
Commonwealth.

"Determination." A decision by the department as to the
eligibility, recommendation and inclusion in the program.
"Local government." A county, city, borough, town or township.

"Program." The Bridge Bundling Program.

§ 9302. Bundling authorization.

Notwithstanding any other law, the department is authorized to bundle the design and construction of highway bridges owned by the Commonwealth or local governments as provided under this chapter.

§ 9303. Bridge Bundling Program.

(a) Establishment.--The Bridge Bundling Program is established within the department.

(b) Purpose.--The purpose of the program is to save costs and time by allowing multiple highway bridges to be replaced or rehabilitated as one project for design and construction purposes.

(c) Eligibility.--Bridges shall be eligible for the program if multiple bridges meet all of the following:

(1) Are within geographical proximity to each other.

(2) Are of similar size or design.

(3) Inclusion in the program will meet the purpose of the program.

(d) Implementation.--The department shall implement the program as follows:

(1) The department shall annually develop a preliminary list from different regions of this Commonwealth, on a rotating basis, of bridges meeting eligibility requirements.

(2) The department shall notify local governments owning bridges recommended for inclusion in that year's program.

(3) Following receipt of notification from the department, the governing body of a local government shall
have 60 days to agree or refuse participation in the program. Failure to respond in writing within 60 days shall be considered a refusal to participate in the program.

(4) Based on the response from local governments under paragraph (3), the department shall make a final determination of bridges to be designed and constructed under the program and provide a list to the appropriate planning organizations for inclusion in lists of funded projects.

(4.1) A determination shall not be:

(i) considered to an adjudication under 2 Pa.C.S. Chs. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and 7 Subch. A (relating to judicial review of Commonwealth agency action); and

(ii) appealable to the department or a court of law.

(5) The following shall apply:

(i) A local government that agrees to participate in the program for one or more of its bridges that qualify for the program must enter into an agreement with the department. The agreement shall define the department's responsibility for the design and construction of the bridges and the continuing ownership and maintenance responsibilities of the local government for the local bridges replaced or rehabilitated under this program.

(ii) The local government shall have 90 days from receipt of the agreement to execute the agreement.

(iii) Failure to return an agreement executed by authorized local government officials shall be deemed a refusal to participate in the program.

(6) Upon full execution of an agreement under the program, the department shall manage the project design and
construction in a manner consistent with the purpose of the
program.

(f) Itemization.--Notwithstanding any other law, bridges
determined to be eligible and recommended for the program by the
department shall not require specific itemization in a capital
budget.

§ 9304. Grant limitation exceptions.

(a) Exceptions.--Notwithstanding section 2(c) of the bridge
budget act, a local government shall not be required to pay any
local share of the costs associated with the design and
construction of the bridge.

(b) Nonparticipation.--Notwithstanding section 2(c) of the
bridge budget act, a local government with bridges that are
recommended for participation in the program which refuses to
participate in the program shall be required to pay 30% of the
non-Federal share of the costs for those local bridges.

Section 13. Section 1307(a), (a.1), (b) and (c) of Title 75
are amended and the section is amended by adding a subsection to
read:

§ 1307. Period of registration.

(a) Staggered renewal system to be established.--The
department shall establish a system of staggered registration
renewal in a manner that an approximately equal number of
registrations will expire every month throughout [the year] a
two-year period. In order to implement and maintain the
staggered registration system, the department may prorate annual
registration fees over registration periods of from [6 to] 18 to
30 months.

(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 10,000 pounds may register the vehicle with the department for a period of successive months of less than [one year] two years. 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] registration period 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] registration period.

(b) New registration.--A new registration is effective on
the date of issuance of a registration card by the department or the date of issuance of a temporary registration card by an authorized agent of the department under section 1310 (relating to temporary registration cards). Except as otherwise provided under this chapter, a new registration shall expire two years after the last day of the month preceding either the date of issuance of a registration card by the department or the date of issuance of a temporary registration card by either the department or an authorized agent of the department, whichever occurs first.

(c) Renewal of registration.--A renewed registration shall be effective on issuance by the department of a renewed registration card. Except as otherwise provided under this chapter, a renewed registration shall expire as follows:

(1) If a registration is renewed before two months have elapsed since its scheduled expiration, the renewed registration shall expire two years after the last day of the month in which it had been scheduled to expire.

(2) If a registration is renewed after two months have elapsed since expiration, the renewed registration shall expire two years after the last day of the month preceding the date of issuance of the renewed registration.

* * *

(g) International Registration Plan.--Vehicles registered under the International Registration Plan shall be subject to annual registration renewal.

Section 14. Section 1353 of Title 75 is amended to read:

§ 1353. Preserve our heritage registration plate.

The department, in consultation with the Pennsylvania Historical and Museum Commission, shall design a special
preserve our heritage registration plate. Upon receipt of an application, accompanied by a fee of \$35 \$54 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 10,000 pounds. The Historical Preservation Fund shall receive $15 of each additional fee for this plate.

Section 15. Section 1354 of Title 75 is repealed:

§ 1354. Flagship Niagara commemorative registration plate.

(a) Plate.--The department, in consultation with the Pennsylvania Historical and Museum Commission, shall design a Flagship Niagara commemorative registration plate. 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 10,000 pounds.

(b) Use of fee.--Of each fee paid under subsection (a), $15 shall be deposited into the Flagship Niagara Account, which is established as a special account in the Historical Preservation Fund of the Pennsylvania Historical and Museum Commission. The commission shall administer the account as follows:

(1) To preserve, maintain and operate the Flagship Niagara.

(2) After making a determination that there has been compliance with paragraph (1) for a fiscal year, to contribute to the fund.]

Section 16. Sections 1355 and 1358 of Title 75 are amended to read:

§ 1355. Zoological plate.
The department, in consultation with the Pennsylvania Zoological Council, shall design a special zoological registration plate. 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 10,000 pounds. The Zoological Enhancement Fund shall receive $15 of the fee paid by the applicant for the plate.

§ 1358. DARE plate.

The department, in consultation with the Pennsylvania Commission on Crime and Delinquency, shall design a special drug 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 10,000 pounds. The Drug Abuse Resistance Education Program shall receive $15 of each additional fee for this plate.

Section 16.1. Title 75 is amended by adding a section to read:

§ 1380. Suspension of registration upon unpaid tolls.

(a) Suspension of registration.--

(1) The department shall suspend the registration of a vehicle upon the 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 or more violations issued pursuant to 74 Pa.C.S. § 8117(a)(1) (relating to electronic toll collection) or
other laws, regulations, ordinances or other standards 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, regardless of the number of violations.

(2) The suspension under paragraph (1) may not be construed to limit the tolling entity's ability to recoup tolls, administrative fees or costs by any other means available under the law.

(b) Notice.--Prior to notifying the department under subsection (c), the tolling entity shall provide the owner or registrant written notice by first class mail of its intent to seek suspension of the vehicle registration pursuant to this section and afford the owner or registrant with the opportunity to be heard during an administrative proceeding.

(c) Notice to the department.--Not sooner than 30 days after mailing the notice under subsection (b), the tolling entity, provided it has entered into an agreement with the department to enforce the provisions of this section, may notify the department electronically in a format prescribed by the department whenever an owner or registrant meets the requirements for suspension under subsection (a)(1). When a tolling entity has provided notice under this subsection and all of the violations 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 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 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 issued pursuant to 74 Pa.C.S. § 8117(a)(1).

(f) Violations outside Commonwealth.--The department shall
suspend the registration of a vehicle upon the notification from
a tolling entity that has entered into an enforcement agreement
with the department as authorized under section 6146 (relating
to enforcement agreements) for any toll violation of that state
or an authority or for failure to pay any fine or costs imposed
in accordance with the laws of the jurisdiction in which the
violation occurred. A person who provides proof satisfactory to
the department that the full amount of the fine and costs has
been forwarded to and received by the other state may not be
regarded as having failed to pay for the purposes of this
subsection.

(g) Documentation.--In any proceeding under this section,
documents obtained by the department from a tolling entity or
from the appropriate agency of the Commonwealth or another state shall be admissible into evidence to support the department's case. In addition, the department may treat the documents and reports as documents of the department and use any of the methods of storage permitted under the provisions of 42 Pa.C.S. § 6109 (relating to photographic copies of business and public records) and may reproduce the documents in accordance with the provisions of 42 Pa.C.S. § 6103 (relating to proof of official records). The department may certify that it has received or obtained documents and reports from a tolling entity, the Commonwealth or other states, and the certification shall be prima facie proof of the facts contained in the documents and reports.

(h) Three-year 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 years after the violation is committed.

(i) Collection of out-of-State tolls.--The department or a tolling agency may collect the civil penalties and tolls imposed by an out-of-State tolling entity if the department or tolling entity has entered into a reciprocity agreement that confirms all of the following:

(1) The other state or tolling entity has its own effective reciprocal procedures for collecting penalties and tolls imposed by a Commonwealth tolling entity and agrees to collect penalties and tolls of the Commonwealth tolling entity by employing sanctions that include denial of a person's right to register or reregister a motor vehicle.

(2) The penalties, exclusive of tolls, claimed by the other state or tolling entity against an owner of a motor vehicle.
vehicle registered in Pennsylvania do not exceed $100 for a
first violation or $600 for all pending violations.

(3) The other state or tolling entity provides due
process and appeal protections to avoid the likelihood that a
false, mistaken or unjustified claim will be pursued against
an owner.

(4) An owner of a motor vehicle registered in this
Commonwealth may present evidence to the other state or
tolling entity by mail, telephone, electronic means or other
means to invoke rights of due process, without having to
appear personally in the jurisdiction where the violation is
alleged to have occurred.

(5) The reciprocal collection agreement between the
department or a tolling entity and the other state or tolling
entity provides that each party may charge the other a fee
sufficient to cover the costs of collection services,
including costs incurred by the agency that registers motor
vehicles.

(j) Definition.--As used in this section, the term "tolling
entity" means the Pennsylvania Turnpike Commission, an entity
authorized to impose and collect tolls in accordance with the
laws of Pennsylvania, including 74 Pa.C.S. Ch. 91 (relating to
public-private transportation partnerships) or the laws of
another state or states and any authorized agent of such an
entity.

Section 17. Section 1514(a) and (e) of Title 75 are amended
and the section is amended by adding subsections to read:
§ 1514. Expiration and renewal of drivers' licenses.
(a) General rule.--Every driver's license shall expire on
the day after the licensee's birthdate at intervals of not more

20130SB0001PN1162 - 66 -
than [four] **six** years as may be determined by the department.

Every license shall be renewable on or before its expiration upon application, payment of the required fee, and satisfactory completion of any examination required or authorized by this chapter.

(a.1) Hazardous materials endorsement.--A driver's license containing a hazardous materials endorsement shall expire on the day after the licensee's birthday not less than 49 months nor more than 60 months from the date of validation by the department.

(a.2) Staggered renewals.--The department shall establish a system of staggered driver's license renewal in a manner that an approximately equal number of driver's licenses will expire annually throughout a six-year period. In order to implement and maintain the staggered driver's license renewal system, the department may issue driver's licenses for periods of 37 to 72 months. The department shall pro rate the fees imposed under Chapter 19 (relating to fees) as appropriate.

* * *

(e) Noncitizen license expiration and renewal.--

(1) Except as otherwise provided, a license issued on the basis of Immigration and Naturalization Service (INS) credentials or documents shall expire on the date appearing on the INS credentials or documents provided by the applicant under section 1506(a.1) (relating to application for driver's license or learner's permit).

(2) If the expiration date of the INS credentials or documents exceeds [four] **six** years, the license shall expire one day after the applicant's date of birth but not more than [four] **six** years from the date of issuance of the license.
Upon presenting INS credentials or documents indicating continued legal presence in the United States, the person may apply for a renewal of the license.

If a person has been granted permanent legal status in the United States by the INS, the department may in its discretion require the person to present his INS credentials or documents for only the first license application or renewal.

License renewals issued under this subsection shall be for the length of time as set forth in paragraph (1) or (2).

Section 18. Sections 1553(c), 1554(c), 1617, 1786(d), 1904, 1911, 1912, 1913, 1914, 1915, 1916(a), 1917, 1918, 1920, 1921, 1922 and 1923 of Title 75 are amended to read:

§ 1553. Occupational limited license.

* * *

(c) Fee.--The fee for applying for an occupational limited license shall be [$50] $75. This fee shall be nonrefundable and no other fee shall be required.

* * *

§ 1554. Probationary license.

* * *

(c) Fee.--The fee for applying for a probationary license shall be [$25] $35. The fee shall be nonrefundable. The annual fee for issuance of a probationary license shall be [$50] $75, plus the cost of the photograph required in section 1510(a) (relating to issuance and content of driver's license), which shall be in addition to all other licensing fees.

* * *

§ 1617. Fees.
Fees relating to commercial drivers' licenses to be collected by the department under this chapter shall be in addition to any other fees imposed under the provisions of this title and are as follows:

(1) The annual fee for a commercial driver's license designation shall be $10.

(2) In addition to any other restoration fee required by this title, an additional restoration fee of $50 shall be assessed and collected before reinstating a commercial driver's operating privilege following a suspension or revocation under this title or disqualification under this chapter.

(3) If the commercial driving privilege of a driver is disqualified, a Class C noncommercial or M license, if the driver possesses the motorcycle qualification, may be obtained upon payment of the fees associated with obtaining a duplicate license.

(4) An additional fee of $10 shall be imposed for the initial issuance or renewal of a commercial driver's license with an "H" or "X" endorsement, in addition to the cost of a criminal history background check as required by the USA Patriot Act of 2001 (Public Law 107-56, 115 Stat. 272).

§ 1786. Required financial responsibility.

* * *

(d) Suspension of registration and operating privilege.--

(1) The Department of Transportation shall suspend the registration of a vehicle for a period of three months if it determines the required financial responsibility was not secured as required by this chapter and shall suspend the
operating privilege of the owner or registrant for a period of three months if the department determines that the owner or registrant has operated or permitted the operation of the vehicle without the required financial responsibility. The operating privilege shall not be restored until the restoration fee for operating privilege provided by section 1960 (relating to reinstatement of operating privilege or vehicle registration) is paid.

(1.1) In lieu of serving a registration suspension imposed under this section, an owner or registrant may pay to the department a civil penalty of $500, the restoration fee prescribed under section 1960 and furnish proof of financial responsibility in a manner determined by the department.

(2) Whenever the department revokes or suspends the registration of any vehicle under this chapter, the department shall not restore or transfer the registration until the suspension has been served or the civil penalty has been paid to the department and the vehicle owner furnishes proof of financial responsibility in a manner determined by the department and submits an application for registration to the department, accompanied by the fee for restoration of registration provided by section 1960. This subsection shall not apply in the following circumstances:

(i) The owner or registrant proves to the satisfaction of the department that the lapse in financial responsibility coverage was for a period of less than 31 days and that the owner or registrant did not operate or permit the operation of the vehicle during the period of lapse in financial responsibility.

(ii) The owner or registrant is a member of the 20130SB0001PN1162
armed services of the United States, the owner or registrant has previously had the financial responsibility required by this chapter, financial responsibility had lapsed while the owner or registrant was on temporary, emergency duty and the vehicle was not operated during the period of lapse in financial responsibility. The exemption granted by this paragraph shall continue for 30 days after the owner or registrant returns from duty as long as the vehicle is not operated until the required financial responsibility has been established.

(iii) The insurance coverage has terminated or financial responsibility has lapsed simultaneously with or subsequent to expiration of a seasonal registration, as provided in section 1307(a.1) (relating to period of registration).

(3) An owner whose vehicle registration has been suspended under this subsection shall have the same right of appeal under section 1377 (relating to judicial review) as provided for in cases of the suspension of vehicle registration for other purposes. The filing of the appeal shall act as a supersedeas, and the suspension shall not be imposed until determination of the matter as provided in section 1377. The court's scope of review in an appeal from a vehicle registration suspension shall be limited to determining whether:

(i) the vehicle is registered or of a type that is required to be registered under this title; and

(ii) there has been either notice to the department of a lapse, termination or cancellation in the financial
responsibility coverage as required by law for that
vehicle or that the owner, registrant or driver was
requested to provide proof of financial responsibility to
the department, a police officer or another driver and
failed to do so. Notice to the department of the lapse,
termination or cancellation or the failure to provide the
requested proof of financial responsibility shall create
a presumption that the vehicle lacked the requisite
financial responsibility. This presumption may be
overcome by producing clear and convincing evidence that
the vehicle was insured at all relevant times.

(4) Where an owner or registrant's operating privilege
has been suspended under this subsection, the owner or
registrant shall have the same right of appeal under section
1550 (relating to judicial review) as provided for in cases
of suspension for other reason. The court's scope of review
in an appeal from an operating privilege suspension shall be
limited to determining whether:

(i) the vehicle was registered or of a type required
to be registered under this title; and
(ii) the owner or registrant operated or permitted
the operation of the same vehicle when it was not covered
by financial responsibility. The fact that an owner,
registrant or operator of the motor vehicle failed to
provide competent evidence of insurance or the fact that
the department received notice of a lapse, termination or
cancellation of insurance for the vehicle shall create a
presumption that the vehicle lacked the requisite
financial responsibility. This presumption may be
overcome by producing clear and convincing evidence that
the vehicle was insured at the time that it was driven.

(5) An alleged lapse, cancellation or termination of a policy of insurance by an insurer may only be challenged by requesting review by the Insurance Commissioner pursuant to Article XX of the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921. Proof that a timely request has been made to the Insurance Commissioner for such a review shall act as a supersedeas, staying the suspension of registration or operating privilege under this section pending a determination pursuant to section 2009(a) of The Insurance Company Law of 1921 or, in the event that further review at a hearing is requested by either party, a final order pursuant to section 2009(i) of The Insurance Company Law of 1921.

* * *

§ 1904. Collection and disposition of fees and moneys.

[The] (a) General rule.--Except as provided under this section, the department shall collect all fees payable under this title and all other moneys received in connection with the administration of this title and transmit them to the State Treasurer for deposit in the Motor License Fund. Moneys paid in error may be refunded by the department.

(b) Disposition.--Fees collected under sections 1951(c) (relating to driver's license and learner's permit), 1952 (relating to certificate of title), 1953 (relating to security interest), 1955 (relating to information concerning drivers and vehicles), 1956 (relating to certified copies of records) and 1958 (relating to certificate of inspection) shall be transmitted to the State Treasurer for deposit in the following funds:
(1) For fiscal years 2013-2014 and 2014-2015: 10% to the Public Transportation Trust Fund, 23% to the Multimodal Transportation Fund and 67% to the Motor License Fund.

(2) For fiscal years 2015-2016 and 2016-2017: 43.6% to the Public Transportation Trust Fund, 23% to the Multimodal Transportation Fund and 33.4% to the Motor License Fund.

(3) For fiscal year 2017-2018 and each fiscal year thereafter: 77% to the Public Transportation Trust Fund and 23% to the Multimodal Fund.

(c) Automatic three-year adjustment.—

(1) Except as provided under paragraph (2), for the 36-month period beginning July 1, 2016, through June 30, 2019, and for each like 36-month period thereafter, all fees charged under this title shall be increased by an amount calculated by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the most recent 36-month period, calculated from March 1 through February 28, beginning on the date the fees charged under this title were last increased and for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics, immediately prior to the date the adjustment is due to take effect, to the then current fee amounts authorized.

(2) Fees charged under section 1916 (relating to trucks and truck tractors) shall be increased on July 1, 2017, for the period beginning on July 1, 2017, through June 30, 2020, and for each like 36-month period thereafter in the same manner and with the same requirements prescribed under paragraph (1).
(a) General rule.—[An annual] A fee for the registration of
vehicles as provided in Chapter 13 (relating to the registration
of vehicles) shall be charged by the department as provided in
this title.

(b) Department to establish certain fees.—If a vehicle to
be registered is of a type not specifically provided for by this
title and is otherwise eligible for registration, the department
shall determine the most appropriate fee or fee schedule for the
vehicle or type of vehicle based on such factors as design and
intended use.

§ 1912. Passenger cars.
The annual fee for registration of a passenger car shall be
[$36] $52.

§ 1913. Motor homes.
The annual fee for registration of a motor home shall be
determined by its registered gross weight in pounds according to
the following table:

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<th>Class</th>
<th>Registered Gross Weight in Pounds</th>
<th>Fee</th>
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<td>8,001 - 11,000</td>
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<td>3</td>
<td>11,001 or more</td>
<td>81 $116</td>
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§ 1914. Motorcycles.
The annual fee for registration of a motorcycle other than a

The annual fee for registration of a motor-driven cycle shall

§ 1916. Trucks and truck tractors.
(a) General rule.—
The annual fee for registration of a truck or truck tractor shall be determined by its registered gross weight or combination weight in pounds according to the following table:

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<td></td>
</tr>
<tr>
<td>19</td>
<td>20</td>
<td>68,001 - 72,000</td>
<td>1,354</td>
<td>1,457</td>
<td>1,561</td>
</tr>
<tr>
<td>20</td>
<td></td>
<td>72,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>21</td>
<td>72,001 - 76,000</td>
<td>1,729</td>
<td>1,861</td>
<td>1,993</td>
</tr>
<tr>
<td>22</td>
<td></td>
<td>76,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>22</td>
<td>76,001 - 80,000</td>
<td>1,768</td>
<td>1,903</td>
<td>2,038</td>
</tr>
<tr>
<td>24</td>
<td></td>
<td>80,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>23</td>
<td>80,001 - 84,000</td>
<td>1,788</td>
<td>1,924</td>
<td>2,060</td>
</tr>
<tr>
<td>26</td>
<td></td>
<td>84,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>24</td>
<td>84,001 - 88,000</td>
<td>1,807</td>
<td>1,945</td>
<td>2,083</td>
</tr>
<tr>
<td>28</td>
<td></td>
<td>88,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>25</td>
<td>88,001 - 92,000</td>
<td>1,827</td>
<td>1,966</td>
<td>2,105</td>
</tr>
<tr>
<td>30</td>
<td></td>
<td>92,000</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
(2) A portion of the registration fee for any truck or truck tractor in Classes 9 through 25 shall be deposited in the Highway Bridge Improvement Restricted Account within the Motor License Fund according to the following table:

<table>
<thead>
<tr>
<th>Classes</th>
<th>Amount Deposited in Highway Bridge Improvement Restricted Account</th>
</tr>
</thead>
<tbody>
<tr>
<td>9-12</td>
<td>$72</td>
</tr>
<tr>
<td>13-17</td>
<td>108</td>
</tr>
<tr>
<td>18-20</td>
<td>144</td>
</tr>
<tr>
<td>21-25</td>
<td>180</td>
</tr>
</tbody>
</table>

* * *

§ 1917. Motor buses and limousines.

The annual fee for registration of a motor bus or a limousine shall be determined by its seating capacity according to the following table:

<table>
<thead>
<tr>
<th>Seating Capacity</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>26 or less</td>
<td>$[9] 12 per seat</td>
</tr>
<tr>
<td>52 or more</td>
<td>[540] 775</td>
</tr>
</tbody>
</table>

§ 1918. School buses and school vehicles.

The annual fee for registration of a school bus or school vehicle shall be [$24] $91.

§ 1920. Trailers.

(a) General rule.--The annual fee for registration of a trailer shall be determined by its registered gross weight according to the following table:

<table>
<thead>
<tr>
<th>Registered Gross Weight in Pounds</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>20130SB0001PN1162</td>
<td>- 79 -</td>
</tr>
</tbody>
</table>
(b) Optional five-year registration.--A trailer with a registered gross weight of 10,000 pounds or less may be registered for a period of five years upon payment by the registrant of the applicable fee for such period.

(c) Optional permanent registration.--A trailer with a registered gross weight of 10,001 or more pounds may be registered for a one-time fee of [$135] $194 in lieu of the annual fee at the option of the registrant.

§ 1921. Special mobile equipment.

The annual fee for registration of special mobile equipment shall be [$36] $52.

§ 1922. Implements of husbandry.

The annual fee for registration of an implement of husbandry not exempt from registration under this title shall be [$18] $26.

§ 1923. Antique, classic and collectible vehicles.

The fee for registration of an antique, classic or collectible motor vehicle shall be [$75] $108.

Section 19. Section 1924 of Title 75, amended October 24, 2012 (P.L.1407, No.174), is amended to read:

§ 1924. Farm vehicles.

(a) General rule.--The annual fee for registration of a farm vehicle shall be [$76.50] $110 or one-third of the regular fee, whichever is greater.

(b) Certificate of exemption.--The biennial processing fee for a certificate of exemption issued in lieu of registration of a farm vehicle shall be determined by the type of certificate...
issued and the gross weight or combination weight or weight rating according to the following table:

<table>
<thead>
<tr>
<th>Certificate type</th>
<th>Weight in pounds</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type A</td>
<td>10,000 or less</td>
<td>$24</td>
</tr>
<tr>
<td>Type B</td>
<td>greater than 10,000 and not exceeding 17,000</td>
<td>24</td>
</tr>
<tr>
<td>Type C</td>
<td>greater than 17,000</td>
<td>50</td>
</tr>
<tr>
<td>Type D</td>
<td>greater than 17,000</td>
<td>100</td>
</tr>
</tbody>
</table>

Section 20. Sections 1925, 1926(a), (b) and (c), 1926.1, 1927, 1928, 1929, 1930, 1931, 1931.1, 1932, 1933 and 1942(a) of Title 75 are amended to read:

§ 1925. Ambulances, taxis and hearse.

The annual fee for registration of an ambulance, taxi or hearse shall be $54. $77.

§ 1926. Dealers and miscellaneous motor vehicle business.

(a) General rule.—The annual fee for a dealer registration plate or miscellaneous motor vehicle business plate shall be $36. $52.

(b) Motorcycle dealers.—The annual fee for each dealer registration plate issued to a motorcycle dealer other than a motor-driven cycle dealer shall be $18. $26.

(c) Motor-driven cycle dealers.—The annual fee for each dealer registration plate issued to a motor-driven cycle dealer shall be $9. $13.

* * *

§ 1926.1. Farm equipment vehicle dealers.

The annual fee for registration of a farm equipment dealer truck or truck tractor shall be one-half of the regular fee or [$243] $349, whichever is greater.

§ 1927. Transfer of registration.
§ 1928. Temporary and electronically issued registration plates.

The fee payable by a dealer or other dispensing agent for a temporary registration plate or for a registration plate to be issued for new registration processed electronically with the department shall be [$5] $14. The charge of the agent for providing an applicant with a plate under this section shall not exceed a total of [$10] $14.

§ 1929. Replacement registration plates.

The fee for a replacement registration plate other than a legislative or personal plate shall be [$7.50] $11.

§ 1930. Legislative registration plates.

The fee for issuance of a legislative registration plate shall be [$20] $76 which shall be in addition to the annual registration fee. Only one payment of the issuance fee shall be charged for each legislative registration plate issued or replaced.

§ 1931. Personal registration plates.

The fee for issuance of a personal registration plate shall be [$20] $76 which shall be in addition to the annual registration fee. Only one payment of the issuance fee shall be charged for each personal registration issued or replaced.

§ 1931.1. Street rod registration plates.

The fee for the issuance of a street rod registration plate shall be [$20] $51 which shall be in addition to the annual registration fee. Only one payment of the issuance fee shall be charged for each street rod registration plate issued or replaced.

§ 1932. Duplicate registration cards.

20130SB0001PN1162

- 82 -
The fee for each duplicate registration card when ordered at the time of vehicle registration, the transfer or renewal of registration or the replacement of a registration plate shall be [$1.50] $2. The fee for each duplicate registration card issued at any other time shall be [$4.50] $6.

§ 1933. Commercial implements of husbandry.
The annual fee for registration of a commercial implement of husbandry shall be [$76.50] $110 or one-half of the regular fee, whichever is greater.

§ 1942. Special hauling permits as to weight and size.
(a) Fee schedule.--The fee for a special hauling permit for each movement of an overweight or oversize vehicle or load, or both, shall be as follows:

(1) Oversize vehicle or load, or both, having a width up to 14 feet and not exceeding legal weight limit, [$25] $35.

(2) Oversize vehicle or load, or both, having a width exceeding 14 feet and not exceeding any legal weight limit, [$50] $71.

(3) Vehicle and load weighing in excess of legal weight limit, [3¢] 4¢ per mile per ton by which the gross weight exceeds the registered gross weight.

* * *

Section 21. Section 1943 of Title 75, amended October 24, 2012 (P.L.1473, No.187), is amended to read:

§ 1943. Annual hauling permits.
(a) Quarry equipment and machinery.--The annual fee for operation or movement of each piece of heavy quarry equipment or machinery, as provided for in section 4966 (relating to permit for movement of quarry equipment), shall be [$500] $706.

(c) Course of manufacture.--The annual fee for operation or
movement of loads or vehicles, as provided for in section 4968
(relating to permit for movement during course of manufacture),
shall be as follows:

(1) Oversized movements:
   (i) Movements limited to daylight hours only - [$100] $130.
   (ii) Movements that can be conducted 24 hours per
day - [$1,000] $1,300.

(2) Overweight movements:
   (i) Movements not exceeding 100,000 pounds gross
   weight:
      (A) Not more than one mile in distance - [$50] $69.
      (B) More than one mile in distance - [$400] $750.
   (ii) Movements in excess of 100,000 pounds gross
       weight - [$500] $756, plus [$100] $152 for each mile of
       highway authorized under the permit.

(d) Multiple highway crossings.--The annual fee for a single
permit for multiple highway crossings, as provided for in
section 4965 (relating to single permits for multiple highway
crossings), shall be [$300] $415.

(e.1) Special mobile equipment.--The annual fee for hauling
or towing each piece of special mobile equipment, as provided
for in section 4975 (relating to permit for movement of special
mobile equipment), shall be [$200] $300.

(f) Containerized cargo.--The annual company fee for
movement of any combination with overweight containerized cargo
as provided for in section 4974 (relating to permit for movement
of containerized cargo) shall be:
(1) [$100] $155 for a motor carrier requesting permits for up to 15 truck tractors.

(2) [$150] $233 for a motor carrier requesting permits for 16 to 50 truck tractors.

(3) [$250] $388 for a motor carrier requesting permits for 51 to 100 truck tractors.

(4) [$350] $544 for a motor carrier requesting permits for 101 to 150 truck tractors.

(5) [$400] $622 for a motor carrier requesting permits for 151 or more truck tractors.

(g) Domestic animal feed.--The annual fee for movement of each vehicle hauling domestic animal feed, in bulk, as provided for in section 4976 (relating to permit for movement of domestic animal feed) shall be [$400] $587.

(g.1) Eggs.--The annual fee for movement of each vehicle hauling eggs as provided for in section 4976.2 (relating to permit for movement of eggs) shall be $400.

(h) Movement of wooden structures.--The annual fee for movement of wooden structures as provided for in section 4977 (relating to permit for movement of wooden structures) shall be [$1,000] $1,468.

(i) Live domestic animals.--The annual permit fee for each truck tractor authorized to transport live domestic animals, as provided in section 4976.1 (relating to permit for movement of live domestic animals), shall be [$400] $520.

(j) Building structural components.--The permit fee for each truck tractor authorized to transport building structural components, as provided in section 4978 (relating to permit for movement of building structural components), shall be [$100] $141 for each month the permit is valid.
(k) Utility construction equipment.--The permit fee for utility construction equipment, as provided for in section 4970(a) (relating to permit for movement of construction equipment), shall be $100 for each month the permit is valid.

(l) Particleboard or fiberboard.--The annual fee for movement of particleboard or fiberboard, as provided for in section 4979 (relating to permit for movement of particleboard or fiberboard used for the manufacture of ready-to-assemble furniture), shall be $800.

(m) Bulk refined oil.--The annual fee for movement of bulk refined oil, as provided for in section 4979.1 (relating to permit for movement of bulk refined oil), shall be:

1. $800 for a distance up to 50 miles.
2. $1,600 for a distance of more than 50 miles up to 125 miles.

(n) Waste coal and beneficial combustion ash.--The annual fee for the movement of waste coal and beneficial combustion ash, as provided for in section 4979.2 (relating to permit for movement of waste coal and beneficial combustion ash), shall be $400.

(o) Float glass or flat glass.--The annual fee for the movement of float glass or flat glass, as provided for in section 4979.3 (relating to permit for movement of float glass or flat glass for use in construction and other end uses), shall be $800.

(p) Self-propelled cranes.--The annual permit fee for each self-propelled crane, as provided for in section 4979.4 (relating to permit for movement of self-propelled cranes), shall be as follows:
(1) Cranes not exceeding 100,000 pounds gross weight, prorated up to a maximum of [$400] $553.

(2) Cranes in excess of 100,000 pounds gross weight, prorated up to a maximum of [$100] $139 plus [$50] $69 for each mile of highway authorized under the permit.

(q) Construction equipment.--The annual fee for the movement of construction equipment shall be [$400] $520.

(q.1) Nonhazardous liquid glue.--The annual fee for the movement of nonhazardous liquid glue, as provided for in section 4979.5 (relating to permit for movement of nonhazardous liquid glue), shall be [$800] $1,000.

(q.2) Waste tires.--The annual fee for the movement of waste tires under section 4979.6 (relating to permit for movement of waste tires) shall be [$800] $845.

(r) Excess damage permit.--The annual fee for excess damage permits, as provided for in section 4961(d) (relating to authority to issue permits), shall be [$500] $640 to cover the costs of administering the permit and inspections of the involved highway.

Section 22. Sections 1944, 1945(b), 1947, 1951, 1952, 1953, 1955(a), 1956, 1957, 1958(a), 1959, 1960 and 2102(b) and (d) of Title 75 are amended to read:

§ 1944. Mobile homes, modular housing units and modular housing undercarriages.

The fee for a special hauling permit for a mobile home, modular housing unit or modular housing undercarriage which exceeds the maximum size prescribed in this title but which does not exceed 14 feet in body width shall be [$25] $39. The fee for a special hauling permit for a mobile home or modular housing unit, as provided in section 4973 (relating to permits for...
movement of a mobile home or a modular housing unit and modular housing undercarriage), shall be [$50] $76.


* * *

(b) Penalty.--Any person violating any of the provisions of this section is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of [$500] $1,000.

§ 1947. Refund of certain fees.

The portion of the fee of an unused overweight permit based on ton-miles or the fee for an unused escort, or both, may be refunded upon payment of a processing fee of [$10] $38.

§ 1951. Driver's license and learner's permit.

(a) Driver's license.--The driver's license fee [for each year or partial year] shall be [$5.25] $7 plus the cost of the photograph required in section 1510(a) (relating to issuance and content of driver's license).

(a.1) Senior citizen.--The driver's license fee for each year or partial year for a senior citizen 65 years of age and older shall be $5.25 plus the cost of the photograph required under section 1510(a) (relating to issuance and content of driver's license).

(b) Learner's permit.--The fee for a learner's permit shall be [$5] $19.

(c) Identification card.--The [fee for an] identification card fee shall be [$5] $19 plus the cost of the photograph.

(d) Replacement license or card.--The fee for a replacement driver's license or identification card shall be [$5] $19 plus the cost of the photograph.


(a) General rule.--The fee for issuance of a certificate of
title shall be [$22.50] §33.

(b) Manufacturer's or dealer's notification.--The fee for a manufacturer's or dealer's notification of acquisition of a vehicle from another manufacturer or dealer for resale pursuant to section 1113 (relating to transfer to or from manufacturer or dealer) shall be [$3] §4.

§ 1953. Security interest.

The fee for recording or changing the amount of security interest on a certificate of title shall be [$5] $19.


(a) Drivers, registrations, titles and security interests.--The fee for a copy of written or electronic information relating to a driver, registration, title or security interest shall be [$5] §14.

* * *

§ 1956. Certified copies of records.

(a) Department records.--The fee for a certified copy of any department record which the department is authorized by law to furnish to the public shall be [$5] $19 for each form or supporting document comprising such record.

(b) State Police reports.--The fee for a certified Pennsylvania State Police record of investigation of a vehicle accident which the Pennsylvania State Police are authorized by this title to furnish to the public shall be [$5] $19 for each copy of the Pennsylvania State Police full report of investigation.

§ 1957. Uncollectible checks.

Whenever any check issued in payment of any fee or for any other purpose is returned to the department as uncollectible, the department or municipality shall charge a fee of [$10] §38
for each driver's license, registration, replacement of tags, transfer of registration, certificate of title, whether original or duplicate, special hauling permit and each other unit of issue by the department or municipality, plus all protest fees, to the person presenting the check, to cover the cost of collection.


(a) General rule.--The department shall charge [$2] $5 for each annual certificate of inspection [and $1], $2 for each semiannual certificate of inspection and $2 for each certificate of exemption.

§ 1959. Messenger service.

(a) Annual registration.--The annual fee for registration of a messenger service as provided for in Chapter 75 (relating to messenger service) shall be [$50] $192.

(b) Additional places of business.--The annual fee for registration of additional place of business or branch office from which a messenger service may transact business shall be [$25] $95.

(c) Transfer of location.--The fee for the transfer of location of a registered place of business or branch office of a messenger service during a period of registration shall be [$5] $19.

§ 1960. Reinstatement of operating privilege or vehicle registration.

The department shall charge a fee of [$25] $70 or, if section 1379 (relating to suspension of registration upon sixth unpaid parking violation in cities of the first class) or 1786(d) (relating to required financial responsibility) applies, a fee of [$50] $88 to restore a person's operating privilege or the
registration of a vehicle following a suspension or revocation.


The fee for processing a secure power of attorney submitted for the purpose of odometer disclosure when not accompanied by an application for title shall be [\$15] $23.

§ 2102. Identification markers and license or road tax registration card required.

* * *

(b) Fee.--The fee for issuance of identification markers shall be [\$5] $12 per vehicle.

* * *

(d) Operation without identification markers unlawful.--Except as provided in paragraphs (2) and (3), it shall be unlawful to operate or to cause to be operated in this Commonwealth any qualified motor vehicle unless the vehicle bears the identification markers required by this section or valid and unrevoked IFTA identification markers issued by another IFTA jurisdiction.

(1) The Secretary of Revenue may by regulation exempt from the requirement to display the identification markers those qualified motor vehicles which in his opinion are clearly identifiable such that effective enforcement of this chapter will not suffer thereby.

(2) For a period not exceeding 30 days as to any one motor carrier, the Secretary of Revenue by letter or telegram may authorize the operation of a qualified motor vehicle or vehicles without the identification markers required when both the following are applicable:

(i) enforcement of this section for that period would cause undue delay and hardship in the operation of...
such qualified motor vehicle; and

(ii) the motor carrier is registered and/or licensed for the motor carriers road tax with the Department of Revenue or has filed an application therefor with the Department of Revenue:

(A) The fee for such temporary permits shall be \([\$5] \$7\) for each qualified motor vehicle which shall be deposited in the Highway Bridge Improvement Restricted Account within the Motor License Fund.

(B) Conditions for the issuance of such permits shall be set forth in regulations promulgated by the Department of Revenue.

(C) A temporary permit issued by another IFTA jurisdiction under authority similar to this paragraph shall be accorded the same effect as a temporary permit issued under this paragraph.

(3) A motor carrier may, in lieu of paying the tax imposed and filing the tax report required by Chapter 96 and in lieu of complying with any other provisions of this section that would otherwise be applicable as a result of the operation of a particular qualified motor vehicle, obtain from the Department of Revenue a trip permit authorizing the carrier to operate the qualified motor vehicle for a period of five consecutive days. The Department of Revenue shall specify the beginning and ending days on the face of the permit. The fee for a trip permit for each qualified motor vehicle is \([\$50] \$73\) which shall be deposited in the Highway Bridge Improvement Restricted Account within the Motor License Fund. The report otherwise required under Chapter 96 is not required with respect to a vehicle for which a trip
permit has been issued under this subsection.

* * *

Section 23. Section 3111 of Title 75 is amended by adding a subsection to read:

§ 3111. Obedience to traffic-control devices.

* * *

(a.1) Penalty.--

(1) A person who violates this section commits a summary offense and shall, upon conviction, pay a fine of not less than $100 nor more than $300.

(2) Notwithstanding 42 Pa.C.S. § 3733(a) (relating to deposits into account), a fine under paragraph (1) shall be distributed as follows:

(i) Twenty-five dollars shall be deposited as provided under 42 Pa.C.S. § 3733(a).

(ii) After deposit of the amount under subparagraph (i), the remaining portion of the fine shall be deposited into the Public Transportation Trust Fund.

* * *

Section 23.1. Section 6110(b) of Title 75 is amended to read:

§ 6110. Regulation of traffic on Pennsylvania Turnpike.

* * *

(b) Penalties.--

(1) Except as otherwise provided in this subsection, any person violating any of the rules and regulations of the Pennsylvania Turnpike Commission for which no penalty has otherwise been provided by statute commits a summary offense and shall, upon conviction, be sentenced to pay a fine of $25.
(2) Any person violating any of the rules and
regulations of the commission prohibiting fare evasion or
attempted fare evasion commits a summary offense and shall,
on conviction for the first time, be sentenced to pay a
fine according to the classification by the commission of the
vehicle driven by that person at the time of violation as
follows:

(i) Class 1 through 2: [$100] $200.
(ii) Class 3 through 6: [$500] $2,500.
(iii) Class 7 and higher: [$1,000] $5,000.

(3) In addition to the fines imposed under this
subsection, restitution shall be made to the commission in an
amount equal to the full fare, for the appropriate vehicle
class, from the farthest point of entry on the turnpike to
the actual point of exit.

(3.1) (i) A person who, while traveling upon the
Pennsylvania Turnpike or a road under its control, takes
an affirmative action in an attempt to evade tolls
 commits a misdemeanor of the third degree, and shall,
on conviction, be sentenced to pay a fine of $6,500 and
to undergo imprisonment for not less than 60 days. For
the purposes of this subsection, affirmative action shall
include any of the following:

(A) Removal of license plates from the vehicle
to impede electronic toll collection.

(B) Installation of a mechanism that rotates,
changes, blocks or otherwise mechanically alters the
ability of a license plate to be read by a violation
enforcement system as defined under 74 Pa.C.S. § 8102
(relating to definitions).
(C) Installation of a mechanical apparatus upon the vehicle that serves the sole purpose of masking, hiding or manipulating the true weight of the vehicle as it appears to a mechanical scale.

(D) Conspiring with an individual or group of individuals in an attempt to alter, lower or evade payment of correct tolls.

(E) Unauthorized use of Pennsylvania Turnpike private gate access or otherwise unauthorized movement entering or exiting the turnpike other than at approved interchanges.

(F) Any other action taken for the purpose of evading the payment of a toll.

(ii) A violation of this paragraph may not preclude prosecution under section 1332 (relating to display of registration plate), section 7122 (relating to altered, forged or counterfeit documents and plates) or section 7124 (relating to fraudulent use or removal of registration plate).

Section 24. Section 6506(a) of Title 75 is amended by adding a paragraph and the section is amended by adding a subsection to read:

§ 6506. Surcharge.

(a) Levy and imposition.--In addition to any fines, fees or penalties levied or imposed as provided by law, under this title or any other statute, a surcharge shall be levied for disposition in accordance with subsection (b) as follows:

* * *

(10) Notwithstanding 42 Pa.C.S. § 3733(a) (relating to deposits into account), in addition to any other surcharge
imposed under this section, upon conviction for a violation of Chapter 11 (relating to certificate of title and security interests), 13 (relating to registration of vehicles), 15 (relating to licensing of drivers), 16 (relating to commercial drivers), 17 (relating to financial responsibility), 19 (relating to fees), 21 (relating to motor carriers road tax identification markers), 31 (relating to general provisions), 33 (relating to rules of the road in general), 35 (relating to special vehicles and pedestrians), 37 (relating to miscellaneous provisions), 38 (relating to driving after imbibing alcohol or utilizing drugs), 41 (relating to equipment standards), 43 (relating to lighting equipment), 45 (relating to other required equipment), 47 (relating to inspection of vehicles), 49 (relating to size, weight and load), 61 (relating to powers of department and local authorities), 63 (relating to enforcement), 65 (relating to penalties and disposition of fines), 71 (relating to vehicle theft and related provisions), 73 (relating to abandoned vehicles and cargos), 75 (relating to messenger service), 77 (relating to snowmobiles and all-terrain vehicles), 83 (relating to hazardous materials transportation), 90 (relating to liquid fuels and fuels tax), 94 (relating to liquid fuels and fuel use tax enforcement) or 96 (relating to motor carriers road tax), a surcharge of $100.

* * *

(a.1) Deposit of surcharge.--The surcharge levied and collected under subsection (a)(10) shall be deposited into the Public Transportation Trust Fund.

Section 25. Section 7715.2(a) of Title 75 is amended to
§ 7715.2. Fees.

(a) Fees.--Except as provided in subsection (b), the department shall collect the following fees:


(2.1) Vintage snowmobile permit, $20.

(3) Dealer registration, $25.

(4) Replacement, due to loss or damage, of registration certificate, limited registration certificate, registration decal, registration plate, expiration sticker or vintage snowmobile permit, [$5] $7.

(5) Transfer of registration pursuant to section 7711.1 (relating to registration of snowmobile or ATV), [$5] $7.


* * *

Section 26. The definition of "annual additional payments," "annual base payments" and "scheduled annual commission contributions" in section 8901 of Title 75 are amended to read:

§ 8901. 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:

"Annual additional payments." As follows:

(1) During the conversion period and after the conversion date, an amount equal to the scheduled annual commission contribution, minus the sum of:

(i) $200,000,000 paid as annual base payments;

(ii) any Interstate 80 savings for that fiscal year.
(2) If the conversion period has expired and a conversion notice has not been received by the secretary, in each subsequent fiscal year [until the end of the term of the lease agreement] through fiscal year 2020-2021, the annual additional payments shall be $250,000,000. No annual additional payments shall be due after fiscal year 2020-2021.

"Annual base payments." An amount equal to the sum of the following:

(1) Annual debt service on outstanding bonds issued under section 9511.2 (relating to special revenue bonds) payable as required pursuant to the bonds.

(2) Two hundred million dollars payable annually through fiscal year 2020-2021 in four equal installments each due the last business day of each July, October, January and April. No annual base payments shall be due after fiscal year 2020-2021.

* * *

"Scheduled annual commission contribution." The following amounts:

(1) $750,000,000 in fiscal year 2007-2008.

(2) $850,000,000 in fiscal year 2008-2009.

(3) $900,000,000 in fiscal year 2009-2010.

(4) For fiscal year 2010-2011 and each fiscal year thereafter through fiscal year 2020-2021, the amount shall be the amount calculated for the previous year increased by 2.5%, except that the amount shall be equal to the annual base payments plus $250,000,000 if the conversion notice is not received by the secretary prior to the expiration of the conversion period. No scheduled annual commission contribution shall be due after fiscal year 2020-2021.
Section 27. Section 8915.6(a) and (b)(1) of Title 75 are amended to read:

§ 8915.6. Deposit and distribution of funds.

(a) Deposits.--Upon receipt by the department, the following amounts from the scheduled annual commission contribution shall be deposited in the Motor License Fund:

1. For fiscal year [2007-2008, $450,000,000] 2013-2014, $145,000,000.
3. For fiscal year [2009-2010, $500,000,000] 2015-2016, $90,000,000.
3.1 For fiscal year 2016-2017, $90,000,000.
4. For fiscal year [2010-2011] 2017-2018 and each fiscal year thereafter, [the amount calculated for the previous year increased by 2.5%.] $35,000,000.

(b) Distribution.--The following shall apply:

1. Annually, 15% of the amount deposited in any fiscal year

IF, BY JULY 1, 2021, LEGISLATION IS NOT ENACTED TO REPLACE THE REVENUE DISTRIBUTED FROM THE FUND UNDER SUBSECTION (B)(2) AND (3), IN FISCAL YEAR 2021-2022 AND IN EACH FISCAL YEAR THEREAFTER, THE FOLLOWING SHALL APPLY:

1. AN AMOUNT EQUAL TO THAT REVENUE SHALL BE DEPOSITED IN THE FUND.
year under subsection (a) shall be distributed at the
discretion of the secretary.]

* * *

Section 28. The definition of "average wholesale price" in
section 9002 of Title 75 is amended to read:

§ 9002. 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:

* * *

"Average wholesale price." The average wholesale price per
gallon of all taxable liquid fuels and fuels, excluding the
Federal excise tax and all liquid fuels taxes, as determined by
the Department of Revenue for the 12-month period ending on the
September 30 immediately prior to January 1 of the year for
which the rate is to be set[. In] except as follows:

(1) For the period beginning July 1, 2013, and ending
December 31, 2013, the average wholesale price shall be
$1.87.

(2) For the period beginning January 1, 2014, and ending
December 31, 2014, the average wholesale price shall be
$2.49.

(3) For the period beginning January 1, 2015, and ending
December 31, 2015, the average wholesale price shall be
$3.11.

(4) Beginning January 1, 2016, in no case shall the
average wholesale price be less than [90¢ nor more than
$1.25] $2.49 per gallon.

* * *

Section 29. Sections 9004(a), 9106(b), 9502(a) and 9511(b)
and (g) AND 9502(A) of Title 75 are amended to read:

§ 9004. Imposition of tax, exemptions and deductions.

(a) Liquid fuels and fuels tax.--A [permanent State tax of 12¢ a gallon or fractional part thereof] State tax is imposed and assessed upon all liquid fuels and fuels used or sold and delivered by distributors within this Commonwealth[.]

follows:

(1) Eleven cents a gallon or fractional part thereof from July 1, 2013, until June 30, 2014.

(2) Ten cents a gallon or fractional part thereof from July 1, 2014, until June 30, 2015.

(3) Twelve cents a gallon or fractional part thereof beginning July 1, 2015, and thereafter.

* * *

§ 9106. Dirt and gravel road maintenance.

* * *

(b) General rule.--Of the funds available under section 9502(a)(1) (relating to imposition of tax), [$1,000,000] $3,000,000 $7,000,000 shall be annually distributed to the Department of Conservation and Natural Resources for the maintenance and mitigation of dust and sediment pollution from forestry roads. Funds in the amount of [$4,000,000] $12,000,000 $28,000,000 shall be appropriated annually to the State Conservation Commission and administered in a nonlapsing, nontransferable account restricted to maintenance and improvement of dirt and gravel roads. The State Conservation Commission shall apportion the funds based on written criteria it develops to establish priorities based on preventing dust and sediment pollution. In the first fiscal year, top priority shall be given to specific trouble spot locations already mapped by 20130SB0001PN1162-101-
§ 9502. Imposition of tax.

(a) General rule.--

(1) An "oil company franchise tax for highway maintenance and construction" which shall be an excise tax of 60 mills is hereby imposed upon all liquid fuels and fuels as defined and provided in Chapter 90 (relating to liquid fuels and fuels tax), and such tax shall be collected as provided in section 9004(b) (relating to imposition of tax, exemptions and deductions). Of the amount collected in fiscal year 2015-2016, and each fiscal year thereafter, $20,000,000 AT THE DISCRETION OF THE SECRETARY, A MINIMUM OF $20,000,000 AND A MAXIMUM OF $35,000,000 shall be deposited in the Multimodal Transportation Fund established under 74 Pa.C.S. § 2101 (relating to Multimodal Transportation Fund), to be expended in accordance with section 11 of Article VIII of the Constitution of Pennsylvania.

(2) An additional 55 mills is hereby imposed on all liquid fuels and fuels as defined and provided in Chapter 90 and such tax shall also be collected as provided in section 9004(b), the proceeds of which shall be distributed as follows:

   (i) [Forty-two] Twenty-nine percent to county maintenance districts for highway maintenance for fiscal year 2013-2014 and 19% for fiscal year 2014-2015 and each year thereafter. This allocation shall be made according to the formula provided in section 9102(b)(2) (relating to distribution of State highway maintenance funds). This
allocation shall be made in addition to and not a
replacement for amounts normally distributed to county
maintenance districts under section 9102.

(ii) [Seventeen] **Thirty** percent for highway capital
projects[.] for fiscal year 2013-2014 and 40% for fiscal
year 2014-2015 and each year thereafter.

(iii) Thirteen percent for bridges.

(iv) Two percent for bridges identified as county or
forestry bridges.

(v) Twelve percent for local roads pursuant to
section 9511(c) (relating to basic allocation to
municipalities).

(vi) Fourteen percent for toll roads designated
pursuant to the act of September 30, 1985 (P.L.240,
No.61), known as the Turnpike Organization, Extension and
Toll Road Conversion Act, to be appropriated under
section 9511(h).

(3) An additional 38.5 mills is hereby imposed upon all
liquid fuels and fuels as defined and provided in Chapter 90,
and such tax shall also be collected as provided in section
9004(b), the proceeds of which shall be deposited in The
Motor License Fund and distributed as follows:

(i) Twelve percent to municipalities on the basis of
and subject to the provisions of the act of June 1, 1956
(1955 P.L.1944, No.655), referred to as the Liquid Fuels
Tax Municipal Allocation Law, is appropriated.

(ii) [Eighty-eight percent to the department is
appropriated as follows:

(A) Forty-seven percent for distribution in
accordance with section 9102(b)(2) for fiscal year

(B) Fifty-three percent for a Statewide highway restoration, betterment and resurfacing program for fiscal year 1997-1998.

(C) Fifty-seven percent for distribution in accordance with section 9102(b)(2) for fiscal year 1998-1999.

(D) Forty-three percent for a Statewide highway restoration, betterment and resurfacing program for fiscal year 1998-1999.

(E) Sixty-seven percent for distribution in accordance with section 9102(b)(2) for fiscal year 1999-2000.

(F) Thirty-three percent for a Statewide highway restoration, betterment and resurfacing program for fiscal year 1999-2000.

(G) Seventy-seven percent for distribution in accordance with section 9201(b)(2) for fiscal year 2000-2001.

(H) Twenty-three percent for a Statewide highway restoration, betterment and resurfacing program for fiscal year 2000-2001.

(I) One hundred percent for distribution in accordance with section 9102(b)(2) for fiscal year 2001-2002 and each year thereafter.

(J) For any fiscal year beginning with 1997-1998 through and including fiscal year 2000-2001, the department shall make supplemental maintenance program payments from the Statewide highway restoration betterment program to those county
maintenance districts for which the total highway maintenance appropriations and executive authorizations in accordance with section 9102(b) would be less than the amount received in 1996-1997 from the highway maintenance appropriation, the Secondary Roads-Maintenance and Resurfacing Executive Authorization, the Highway Maintenance Excise Tax Executive Authorization and the Highway Maintenance Supplemental Appropriation.

The words and phrases used in this paragraph shall have the meanings given to them in section 9101 (relating to definitions). This one-time allocation shall be made in addition to and is not a replacement for amounts normally distributed to county maintenance districts under section 9102.

Fifty-three percent to the department for distribution in accordance with section 9102(b)(2) for fiscal year 2013-2014 and 40% for fiscal year 2014-2015 and each fiscal year thereafter.

(iii) Thirty-five percent to the department for expanded highway and bridge maintenance for fiscal year 2013-2014 and 48% for fiscal year 2014-2015 and each fiscal year thereafter to be distributed as follows:

(A) Annually, 15% of the amount deposited in a fiscal year shall be distributed at the discretion of the secretary.

(B) Any funds deposited but not distributed under clause (A) shall be distributed in accordance with the formula under section 9102(b)(2).

(C) Temporary transfers of funds may be made between counties if required for project cash flow.
An additional 55 mills is hereby imposed upon all fuels as defined and provided in chapter 90 and such tax shall also be collected as provided in section 9004(b) upon such fuels, the proceeds of which shall be deposited in The Highway Bridge Improvement Restricted Account within the Motor License Fund and is hereby appropriated.

SECTION 29.1. SECTION 9511(B) AND (G) OF TITLE 75 ARE AMENDED AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

§ 9511. Allocation of proceeds.

* * *

(b) State Highway Transfer Restoration Restricted Account and local bridges.--

(1) The amount of the proceeds deposited in the Motor License Fund pursuant to this chapter which[, in fiscal year 1983-1984,] is attributable to [two] three mills of the tax imposed under section 9502(a) (relating to imposition of tax) [and which, in fiscal year 1984-1985 and thereafter, is attributable to three mills of the tax,] shall be deposited as follows:

(i) For fiscal years 2013-2014 through fiscal year 2016-2017, as follows:

(A) Twenty-seven million dollars shall be deposited in the State Highway Transfer Restoration Restricted Account within the Motor License Fund. The funds deposited in the State Highway Transfer Restoration Restricted Account shall be appropriated annually for expenditure as provided under subsection (g).

(B) All funds not deposited in accordance with
clause (A) shall be deposited in the Highway Bridge Improvement Restricted Account within the Motor License Fund for local bridges, notwithstanding if the project is administered by a county, municipality or the department.

(ii) For fiscal year 2017-2018 and each fiscal year thereafter, as follows:

(A) One and one-half mill shall be deposited in the State Highway Transfer Restoration Restricted Account within the Motor License Fund, which account is hereby created. The funds deposited in the State Highway Transfer Restoration Restricted Account are hereby annually appropriated out of the account upon authorization by the Governor for expenditure as provided in subsection (g).

(B) One and one-half mill shall be deposited in the Highway Bridge Improvement Restricted Account within the Motor License Fund for local bridges, notwithstanding if the project is administered by a county, municipality or the department.

(2) If funds are available to make payments under subsection (g)(1), the department may transfer funds deposited under subparagraphs (i) and (ii) between the State Highway Transfer Restoration Restricted Account and the Highway Bridge Improvement Restricted Account at the discretion of the secretary.

* * *

(g) Use of funds in the State Highway Transfer Restoration Restricted Account.--The funds appropriated in subsection (b) for deposit in the State Highway Transfer Restoration Restricted
Account shall be used to pay for the costs of restoration of such highways as provided in Chapter 92 (relating to transfer of State highways) and annual payments to the municipalities for highway maintenance in accordance with the following:

(1) Annual maintenance payments shall be at the rate of $4,000 per mile for each highway or portion of highway transferred under Chapter 92, section 222 of the act of June 1, 1945 (P.L.1242, No.428), known as the State Highway Law, or any statute enacted in 1981.

(2) Annual maintenance payments shall be paid at the same time as funds appropriated under the act of June 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal Allocation Law, except that no maintenance payment shall be paid for a highway until after the year following its transfer to the municipality.

(3) Annual maintenance payments under this subsection shall be in lieu of annual payments under the Liquid Fuels Tax Municipal Allocation Law.

(4) Annual maintenance payments under this subsection shall be deposited into the municipality's liquid fuels tax account and may be used on any streets and highways in the municipality in the same manner and subject to the same restrictions as liquid fuels tax funds paid under the Liquid Fuels Tax Municipal Allocation Law or, in the case of a county, under section 10 of the act of May 21, 1931 (P.L.149, No.105), known as The Liquid Fuels Tax Act.

* * *

(I) REFUND TO PENNSYLVANIA FISH AND BOAT COMMISSION.--

(1) WHEN THE TAX IMPOSED BY THIS CHAPTER HAS BEEN PAID AND THE FUEL ON WHICH THE TAX HAS BEEN IMPOSED HAS BEEN
CONSUMED IN THE OPERATION OF MOTORBOATS OR WATERCRAFT UPON
THE WATERS OF THIS COMMONWEALTH, INCLUDING WATERWAYS
BORDERING ON THIS COMMONWEALTH, THE FULL AMOUNT OF THE TAX
SHALL BE REFUNDED TO THE BOAT FUND ON PETITION TO THE BOARD
IN ACCORDANCE WITH PRESCRIBED PROCEDURES.

(2) IN ACCORDANCE WITH SUCH PROCEDURES, THE PENNSYLVANIA
FISH AND BOAT COMMISSION SHALL BIANNUALLY CALCULATE THE
AMOUNT OF LIQUID FUELS CONSUMED BY THE MOTORCRAFT AND FURNISH
THE INFORMATION RELATING TO ITS CALCULATIONS AND DATA AS
REQUIRED BY THE BOARD. THE BOARD SHALL REVIEW THE PETITION
AND MOTORBOAT FUEL CONSUMPTION CALCULATIONS OF THE
COMMISSION, DETERMINE THE AMOUNT OF LIQUID FUELS TAX PAID AND
CERTIFY TO THE STATE TREASURER TO REFUND ANNUALLY TO THE BOAT
FUND THE AMOUNT SO DETERMINED. THE DEPARTMENT SHALL BE
ACCORDED THE RIGHT TO APPEAR AT THE PROCEEDINGS AND MAKE ITS
VIEWS KNOWN.

(3) FOR THE FISCAL YEARS COMMENCING JULY 1, 2013, JULY
1, 2014, JULY 1, 2015, JULY 1, 2016, AND JULY 1, 2017, THE
MONEY UNDER PARAGRAPH (2) SHALL BE USED BY THE COMMISSION
ACTING BY ITSELF OR BY AGREEMENT WITH OTHER FEDERAL AND STATE
AGENCIES ONLY FOR THE IMPROVEMENT OF HAZARDOUS DAMS
IMPOUNDING WATERS OF THIS COMMONWEALTH ON WHICH BOATING IS
PERMITTED, INCLUDING THE DEVELOPMENT AND CONSTRUCTION OF
BOATING AREAS AND THE DREDGING AND CLEARING OF WATER AREAS
WHERE BOATS CAN BE USED. FOR THE FISCAL YEAR COMMENCING JULY
1, 2018, AND FOR EACH FISCAL YEAR THEREAFTER, THIS MONEY
SHALL BE USED BY THE COMMISSION ACTING BY ITSELF OR BY
AGREEMENT WITH OTHER FEDERAL AND STATE AGENCIES ONLY FOR THE
IMPROVEMENT OF THE WATERS OF THIS COMMONWEALTH ON WHICH
MOTORBOATS ARE PERMITTED TO OPERATE AND MAY BE USED FOR THE
DEVELOPMENT AND CONSTRUCTION OF MOTORBOAT AREAS; THE DREDGING
AND CLEARING OF WATER AREAS WHERE MOTORBOATS CAN BE USED; THE
PLACEMENT AND REPLACEMENT OF NAVIGATIONAL AIDS; THE PURCHASE,
DEVELOPMENT AND MAINTENANCE OF PUBLIC ACCESS SITES AND
FACILITIES TO AND ON WATERS WHERE MOTORBOATING IS PERMITTED;
THE PATROLLING OF MOTORBOATING WATERS; THE PUBLISHING OF
NAUTICAL CHARTS IN THOSE AREAS OF THIS COMMONWEALTH NOT
COVERED BY NAUTICAL CHARTS PUBLISHED BY THE UNITED STATES
COAST AND GEODETIC SURVEY OR THE UNITED STATES ARMY CORPS OF
ENGINEERS AND THE ADMINISTRATIVE EXPENSES ARISING OUT OF SUCH
ACTIVITIES; AND OTHER SIMILAR PURPOSES.
Section 30. The following shall apply:
(1) No later than two years following the effective date
of this section, the Joint State Government Commission shall
conduct a study and submit a report to the Governor, the
chairman and minority chairman of the Transportation
Committee of the Senate and the chairman and minority
chairman of the Transportation Committee of the House of
Representatives reviewing replacement funding for the
revenues deposited in the Public Transportation Trust Fund
under 74 Pa.C.S. § 1506 (b)(1) and the revenues deposited in
the Motor License Fund under 75 Pa.C.S. § 8915.6 (b)(2) and
(3). The report shall include:
(i) Identification of sources of recurring revenue
that are estimated to generate no less than $450,000,000
on an annual basis.
(ii) Identification of specific legislative action
necessary to generate the sources of recurring revenue
identified under subparagraph (i).
(iii) A ranking in descending order of the sources
of revenue identified under subparagraph (i), based upon
the Joint State Government Commission's recommendation of
which revenue sources are most viable.

(2) Entities affected by this section shall provide data
to complete the report under paragraph (1). In its
recommendations, the Joint State Government Commission may
propose appropriate additional legislative changes to the
Governor and the General Assembly.

Section 31. This act shall take effect in 60 days. AS

FOLLOWS:

(1) THE ADDITION OF 74 PA.C.S. CH. 59 SUBCH. C SHALL
TAKE EFFECT IMMEDIATELY.

(2) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.

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