



## HOUSE COMMITTEE ON APPROPRIATIONS

# FISCAL NOTE

HOUSE BILL NO. 1232

PRINTERS NO. 2835

PRIME SPONSOR: Geist

### COST / (SAVINGS)

FUND	FY 2011/12	FY 2012/13
Motor License Fund	\$0	\$0
Local Funds	See Fiscal Impact	See Fiscal Impact
City of Philadelphia Funds	See Fiscal Impact	See Fiscal Impact

**SUMMARY:** Establishes a penalty for communities that adopt local ordinances that may conflict with provisions of the Vehicle Code and extends the Philadelphia Automated Red Light Enforcement (ARLE) camera pilot program until December 31, 2016. This legislation would take effect in 60 days with the exception that the changes to Section 9010 regarding County Liquid Fuels Tax funds takes effect January 1, 2012.

**ANALYSIS:** This legislation would amend Title 75 (Vehicle Code) to establish penalties for violation of Section 6101 (relating to applicability and uniformity of title). This uniformity clause currently states that provisions of the Vehicle Code are to be uniform and applicable in all communities of the Commonwealth, and that no local municipal government shall enact or enforce local ordinances on a matter covered by Title 75, unless expressly authorized.

This legislation would add a new subsection (b) which states that when a court of competent jurisdiction determines that an ordinance is in violation of the Vehicle Code, a municipal government is subject to:

- suspension of unobligated capital expenditures for bridges and highways;
- suspension of the allocation under the Liquid Fuels Tax Municipal Allocation Law; and
- suspension of the allocation and apportionment of Liquid Fuels funds under Section 9010 (relating to disposition and use of tax). This relates to the ability to receive any County Liquid Fuels Tax funds, which are sometimes passed on to local governments from County Commissioners.

The sanctions will be in force until the local authority repeals or substantially amends the ordinance to remove the language that was found to be in violation of the bill.

This legislation amends Section 3116 of the Vehicle Code (relating to automatic red light enforcement systems in first class cities) to extend the expiration date of the Philadelphia ARLE program to December 31, 2016. Further, the Enhancement Grant Program funded by tickets proceeds is amended to assure that PennDOT does not reserve or set aside a percentage of funds for any particular community and that all communities in Pennsylvania can apply for the grants.

Additionally, as amended in the Transportation Committee, PennDOT would be given the authority to withhold the same funding as outlined above from the City of Philadelphia if it found that Section 3116 (o) relating to yellow light dwell time and (p) relating to ticket fines exceeds 5% of the municipal budget.

**FISCAL IMPACT:** This legislation would have no adverse impact on the Motor License Fund since it is a pass through account for the fine revenue. If this legislation becomes law, fine revenue will continue to be granted for safety projects in other municipalities as well as the City of Philadelphia. Fine revenue submitted to PennDOT is just under \$15 million since the inception of this program in 2005. Fine revenue has averaged \$4.2 million over the past 3 completed fiscal years which is split 50% to safety projects in the City of Philadelphia and 50% to safety projects to other municipalities across the Commonwealth.

**PREPARED BY:** Tim Rodrigo  
House Appropriations Committee (R)

**DATE:** December 13, 2011

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*