



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1458

PRINTERS NO. 2959

PRIME SPONSOR: Tallman

COST / (SAVINGS)

FUND	FY 2011/12	FY 2012/13
Motor License Fund	\$500,000	\$0
City of Philadelphia Funds	See Fiscal Impact	See Fiscal Impact
Local Funds	See Fiscal Impact	See Fiscal Impact

SUMMARY: Amends the Vehicle Code to provide a higher fine for violation of nonreciprocity of operational limitations, extends the Philadelphia Automated Red Light Enforcement (ARLE) camera pilot program, makes technical and substantive changes to the Commercial Driver License (CDL) section of the Vehicle Code, and further defines "emergency vehicle". This legislation would take effect January 30, 2012. However, the amendment to extend the Philadelphia ARLE program takes effect immediately. The definition of emergency vehicle, the exemption of county emergency management officials to the CDL requirements, and the nonreciprocity provisions shall take effect in 60 days.

ANALYSIS: This legislation would amend the Vehicle Code to provide a higher fine for violation of nonreciprocity of operational limitations, extend the Philadelphia Automated Red Light Enforcement (ARLE) camera pilot program until December 31, 2016, make technical and substantive changes to the Commercial Driver License (CDL) section of the Vehicle Code relating to suspensions for failure to obtain or carry a medical card as required by federal law and further define "emergency vehicle".

Nonreciprocity: Amends Section 6154 (Nonreciprocity of operational limitations) of the Vehicle Code to add a fine range of not less than \$500 and not more than \$1,000 for each violation.

Red Light Cameras: Amends Section 3116 of the Vehicle Code (relating to automatic red light enforcement (ARLE) systems in first class cities) to extend the expiration date of the Philadelphia ARLE program to December 31, 2016. The legislation also amends the Enhancement Grant Program funded by ticket proceeds to assure that PennDOT shall make awards on a competitive basis and not designate a set percentage of funds to an applicant.

CDL Medical Cards: Amends Chapters 15 (Licensing of Drivers) and 16 (Commercial Drivers) of Title 75 to reflect changes required by 49 Code of Federal Regulations (CFR) Parts 383, 384, 390, and 391 relating to Medical Certification Requirements.

Specifically, language is being added to Chapter 16 that requires every commercial learner's permit applicant, as well as existing commercial driver license holders, to self-certify the type of driving in which they expect to engage. Drivers engaging in "non-excepted" driving will be required to submit a copy of their valid Medical Examiner's Certificate to PennDOT.

Amends the language outlined in Chapter 16 to require the disqualification of an individual from driving a commercial vehicle if the individual was convicted of incorrectly or fraudulently submitting a certification and requires PennDOT to remove the CDL designation for drivers who fail to comply with the certification and medical examination requirements. These will appear as endorsement codes on the CDL.

Defines "Emergency Vehicle" by adding a county emergency management vehicle to the definition and provides a CDL exemption for an employee of a county emergency management organization who is the holder of a class C license and who has a certificate of authorization from the head of the county emergency management organization for driving such vehicle.

FISCAL IMPACT: The increased fine for a nonreciprocity violation carries the potential to generate new fine revenue to the Motor License Fund. It is impossible to predict the number of violations that would occur and be subject to this new fine threshold.

According to PennDOT the cost to implement the necessary system changes required for the Federal CDL medical requirements is \$2.2 million. These costs would be offset by \$1.7 million in Federal grant funding; therefore, the net fiscal impact to the Motor License Fund would be \$500,000.

Section 384.401(a) and (b) of the federal motor carrier safety regulations says that following the first year of noncompliance, "an amount up to 5% of the Federal-aid highway funds required to be apportioned to any State shall be withheld from a State on the first day of the fiscal year following such State's first year of non-compliance under this part". This change in the legislation would prevent the estimated loss of approximately \$32.65 million in federal funds. This is based on 5% of approximately \$ 653 million in federal-aid highway funds for the 2011 apportionment.

This legislation would extend the sunset provision in the City of Philadelphia to December 31, 2016. Fine revenue has averaged \$4.2 million over the past 3 completed fiscal years which had been split 50% to safety projects in the City of Philadelphia and 50% to safety projects to other municipalities across the Commonwealth. It is possible that this legislation could have an adverse fiscal impact to the City of Philadelphia as they are no longer guaranteed 50% of the fine revenue.

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House Appropriations Committee (R)

DATE: January 18, 2012

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