



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 1147

PRINTERS NO. 2453

PRIME SPONSOR: Argall

COST / (SAVINGS)

FUND	FY 2012/13	FY 2013/14
Motor License Fund	\$0	\$0
Municipal Funds	\$0	\$0

SUMMARY: Amends the Vehicle Code establishing hauling permits for the movement of eggs and for the transport of cryogenic liquid on specified highways. The legislation further provides for employer responsibilities, commercial driver's licenses, requirements for commercial vehicles when approaching railroad crossings, uniformity of title, and disposition of the liquid fuels and fuels tax. This legislation would take effect in 60 days.

ANALYSIS: Amends the Vehicle Code (Title 75) to establish an annual hauling permit for the movement of eggs and set a fee for that permit; and establish that an annual permit for movement during the course of manufacture may be issued for the transport of cryogenic liquid on specified highways. The legislation also amends Title 75 further providing for employer responsibilities, requirements for a commercial driver's license, requirements for commercial vehicles when approaching railroad crossings, uniformity of title, and disposition of the liquid fuels and fuels tax.

Egg Movement Permits: This legislation would amend Title 75 by adding a new Section 4976.2 to authorize an annual permit for the movement of eggs to or from a processor by a combination of vehicles which exceeds the maximum vehicle gross weight allowable by law. Under this section, a vehicle's overall gross weight may not exceed 95,000 pounds and the weight on a non-steering axle may not exceed 21,000 pounds.

The legislation also amends Section 1943 (relating to annual hauling permits) to establish a fee of \$400 for the issuance of an egg movement permit. No permit may be issued for this type of movement on an interstate highway.

Transport of Cryogenic Liquid: This legislation would amend Section 4968 (relating to permit for movement during course of manufacture) to include cryogenic liquid among the list of materials for which an annual permit may be issued authorizing movement on specified highways during the course of manufacture. The legislation also amends Section 4968 (relating to specifications) to establish that a combination of vehicles that hauls cryogenic liquid from one manufacturing or processing facility to another may be permitted by PennDOT and local authorities to move upon highways if the gross weight does not exceed 102,000 pounds. No permit may be issued for this type of movement on interstate highways.

Employer Responsibilities: The legislation amends Section 1605 (Employer responsibilities) to prohibit an employer from authorizing a commercial motor vehicle driver to operate a vehicle if the driver is in violation of a Federal, State, or local law or regulation pertaining to railroad-highway grade crossing

Requirement for Commercial Driver's License: The legislation would amend Section 1606 (Requirement for commercial driver's license) to provide that no person, unless specifically exempted, shall drive a commercial motor vehicle if the person has been issued a commercial driver's license, the license is in the driver's hand, and the person's license was issued for the class of commercial motor vehicle operated and contains all applicable license endorsements.

Vehicles Required to Stop at Railroad Tracks: The legislation would amend Section 3342 (Vehicles required to stop at railroad crossings) to clarify that, upon approaching any track of a railroad, the driver of every commercial vehicle shall reduce the rate of speed of the vehicle and check that the tracks are free of approaching trains. The driver shall stop the vehicle if the track is not clear and must ensure that enough clearance exists to drive through the grade crossing.

Applicability and Uniformity of Title: The legislation would amend Section 6101 (Applicability and uniformity of title) to provide for a suspension of unobligated capital highway and bridge funding and liquid fuels allocations to municipalities who adopt ordinances that are in violation of Title 75 as determined by a court of competent jurisdiction. When the ordinance has been repealed or substantially amended, the funds shall be returned to the local authority.

Disposition and Use of Tax: This legislation would amend Section 9010 (Disposition and use of tax) to provide that all money allocated from the County Liquid Fuels Tax Fund to a political subdivision which, under section 6109(a) (relating to specific powers of department and local authorities), violates section 6101(a) shall be withheld by the county during the period of time in which the municipality is in violation of section 6101(a). When the ordinance has been repealed or substantially amended, the funds shall be returned to the local authority.

FISCAL IMPACT: This legislation would have no adverse fiscal impact on Commonwealth funds. The new hauling permit fee of \$400 would allow PennDOT to collect additional revenue for the Motor License Fund. PennDOT is unable to estimate that additional revenue at this point.

The legislation would have no adverse fiscal impact on municipal funds. The legislation simply provides for the suspension of funds if a municipality passes an ordinance that is in violation of 75 as determined by a court of competent jurisdiction. Once that municipality repeals or significantly amends the ordinance, the funds shall be released.

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House Appropriations Committee (R)

DATE: October 2, 2012

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