



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

SENATE BILL NO. 564

PRINTERS NO. 1873

PRIME SPONSOR: Yaw

### COST / (SAVINGS)

FUND	FY 2017/18	FY 2018/19
Motor License Fund	\$0	\$0

**SUMMARY:** Creates the Bridge Fencing Safety Act, which codifies the requirements for when PennDOT must install or consider protective fencing along state-owned bridges. This legislation would take effect immediately.

**ANALYSIS:** This legislation is identified as the Bridge Fencing Safety Act. This legislation defines "bridge" as a State-owned, new or existing bridge under PennDOT's jurisdiction.

PennDOT is required to install protective fencing when a bridge is built with a sidewalk, or a concrete barrier is installed, modified or rehabilitated on a bridge with a sidewalk over an interstate or other limited access highway. This requirement does not apply if:

1. A protective barrier is required on the bridge; or
2. The fencing would obstruct scenic views of the area, and the local government for the municipality in which the bridge is located:
  - i. decides that fencing must not be placed on the bridge;
  - ii. provides a statement to PennDOT that there have been no incidents of objects being dropped from the bridge onto traffic; and
  - iii. agrees that local law enforcement will monitor the bridge.

When a bridge is built without a sidewalk or a concrete barrier is installed, modified or rehabilitated on a bridge without a sidewalk over an interstate or other limited access highway, PennDOT must consider installation of protective fencing as part of its preliminary design process at all of the following locations:

1. On an overpass near a school, playground or other site where it would be expected that the overpass would be frequently used by children.
2. On an overpass in an urban area used exclusively by pedestrians and not easily kept under police surveillance.
3. On an overpass where experience relating to a nearby structures indicates a need for protective fencing.

4. On an overpass where there have been incidents of objects being dropped or thrown from the overpass and where increased surveillance, warning signs or apprehension of offenders has not effectively alleviated the problem.

For bridges over non-limited access highways, PennDOT must consider installation of protective fencing at all of the following locations as part of its preliminary design process:

1. On an overpass near a school, playground or other site where it would be expected that the overpass would be frequently used by children.
2. On an overpass in an urban area used exclusively by pedestrians and not easily kept under surveillance by police.
3. On an overpass with a sidewalk, where experience relating to nearby structures indicates a need for protective fencing.
4. On an overpass where there have been incidents of objects being dropped or thrown from the overpass and where increased surveillance, warning signs or apprehension of offenders has not effectively alleviated the problem.

PennDOT must also, as part of the preliminary design process for the building of a bridge or the installation, modification or rehabilitation of a concrete barrier on a bridge, consider installation of protective fencing if:

1. PennDOT has direct notice of an instance of suicide or attempted suicide; or
2. Increased surveillance or intervention or installation of warning signs or other deterrence measures has not previously resulted in a decrease in the instance of suicide or attempted suicide.

**FISCAL IMPACT:** According to PennDOT, there is currently a policy in place requiring protective fencing for bridges over interstate and other limited access highways, and the installation costs are budgeted, therefore, enactment of this legislation would have no adverse fiscal impact on Commonwealth funds. PennDOT estimates that it will spend roughly \$2.1 million on protective fencing along bridges in FY 2018/19.

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

**DATE:** June 21, 2018

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