



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 765

PRINTERS NO. 1420

PRIME SPONSOR: Miller, B.

COST / (SAVINGS)

FUND	FY 2020/21	FY 2021/22
Motor License Fund	\$0	\$0
Municipal Funds	\$0	\$0

SUMMARY: Amends Title 75 (Vehicle Code) to remove the requirement that a municipality must also fully indemnify PennDOT and the Commonwealth as a condition for approving special events permits for third-party sponsored special events on a state road. This legislation would take effect immediately.

ANALYSIS: This legislation amends Section 6109 (Specific powers of department and local authorities) of the Vehicle Code to stipulate that PennDOT may not require, as a condition for approving a special event permit on a state road, a local authority to fully indemnify PennDOT and the Commonwealth if the following conditions are met:

1. The sponsor of the procession, special activity or assemblage is not the local authority.
2. The sponsor will fully indemnify, save harmless and, if requested defend the Commonwealth, Commonwealth departments, and their officers, agents and employees from and against claims, suits or actions for injury, death or property damage arising from or because of the acts or omissions of the sponsor, its officers, agents or employees.
3. The sponsor names PennDOT as an additional insured on its liability policies and the liability insurance policies are occurrence based and the insurance certificate indicates that the insurance is occurrence based.
4. The sponsor agrees to reimburse the Commonwealth for all costs for police escort and traffic-control services.
5. The local authority approves of the sponsor conducting the procession, special activity, or assemblage.
6. The local authority agrees to provide adequate detour signing or police control for the rerouting of traffic along an alternate route, if requested by PennDOT.

The legislation also clarifies that PennDOT has sovereign immunity from any suit brought against the Department from a participant of an event where a special event permit was issued to the extent PennDOT is provided sovereign immunity under current law.

FISCAL IMPACT: This legislation would have no adverse fiscal impact on Commonwealth or municipal funds.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: May 4, 2021

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