



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1284

PRINTER'S NO. 2431

PRIME SPONSOR: Nielson

COST / (SAVINGS)

Table with 3 columns: FUND, FY 2023/24, FY 2024/25. Rows include Motor License Fund, General Fund, and Local/Municipal Funds, all with 'See Fiscal Impact'.

SUMMARY: HB 1284 PN 2431 updates several existing programs and creates a new pilot program:

- Automated Enforcement of Failure to Stop for School Bus with Flashing Red Lights
Automated Speed Enforcement Systems in Active Work Zones
Program for Automated Speed Enforcement System on a Designated Highway
Pilot Program for Automated Speed Enforcement Systems in Designated School Zones

Portions of the legislation related to existing programs would take effect immediately, and the addition of the pilot program would take effect in sixty (60) days.

ANALYSIS: This legislation amends Title 75 (Vehicles) to provide for multiple automated enforcement programs in Pennsylvania.

Automated Enforcement of Failure to Stop for School Bus with Flashing Red Lights – § 3345.1

- Makes technical changes to the program, most recently updated through Act 19 of 2023

Automated Speed Enforcement Systems in Active Work Zones – § 3369

- Eliminates February 16, 2024, expiration date and makes the program permanent
Requires the first warning sign to be the largest size available and placed at least 1,000 feet before the active work zone.
Requires the first warning sign to be immediately followed by a posted speed limit sign
Requires a warning sign to be placed in the middle of the active work zone
Resets the number of prior offenses for all drivers back to zero on the effective date of this act. This is a one-time reset
Create a 15-day buffer period between the 1st and 2nd offense, meaning that you cannot receive a 2nd offense until 15 days after the mailing date of the written warning
Applies the offense for misusing the camera data to the system administrator, manufacturer, or vendor
Adds a defense that the owner of the vehicle was not the driver at the time of the violation
PennDOT may require the owner to submit evidence that the owner was not the driver at the time of the violation
The system administrator may not require the owner to disclose the identity of the driver
Legislation language maintains the allocation of fine revenue as follows:

- PA State Police – 45 percent
  - 55 percent for recruiting, training, or equipping State Police cadets
  - 45 percent for increased trooper presence in work zones
- PennDOT/Turnpike Commission – 15 percent
  - For Work Zone and Highway Safety Program grants
  - Use of grant funding is expanded to be used for:
    - Increase awareness of distracted driving and Transportation Enhancement Program
- Motor License Fund Deposit - 40 percent
  - To be appropriated by the General Assembly
- Allows for virtual appeal hearings

**Program for Automated Speed Enforcement Systems on a Designated Highway - § 3370**

- December 18, 2023, statutory expiration date is removed, and program is made permanent
- Current program provisions are maintained
- Speed enforcement program is expanded beyond Roosevelt Boulevard to no more than five additional corridors in the City of Philadelphia
- A corridor is a state or local highway within the border of Philadelphia, which must begin and end on the same state or local route
- Before expanding to a new corridor, Philadelphia must examine the speed data and speed-related accidents involving vehicle or pedestrians, conduct an engineering and traffic investigation on the posted speed limit within the proposed corridor, conduct at least one opportunity for public comment, and adopt a local ordinance authorizing the expansion. This process must be repeated for EACH new corridor. The city cannot bundle multiple corridors in the same process
- Philadelphia would have the ability to change the designated corridors, as long as they do not exceed the cap at any one time. To change a corridor, the city would have to repeat the process described in prior point
- Resets the number of prior offenses for all drivers to zero with the effective date of this act. This is a one-time reset
- Allows for virtual hearings to contest violations

**Pilot Program for Automated Speed Enforcement Systems in Designated School Zones - new §3371**

- Establishes a five-year pilot program for speed cameras in no more than five designated school zones in the City of Philadelphia
- Prior to establishing a designated school zone, Philadelphia must:
  - Conduct an engineering and traffic investigation on posted speed limit within proposed school zone area
  - Provide at least one opportunity for public comments regarding proposed school zone area
- After establishing a designated school zone, the completion of engineering/traffic investigation, and accepting public comments, Philadelphia can pass a city ordinance for such designated school zone

## Local Government Commission Study

- Requires the Commission to conduct a study of automated speed enforcement on highways and streets owned by a municipality
- Study must be completed within two years and must include recommendations on the expansion of automated speed enforcement on highways and streets owned by a municipality

### **FISCAL IMPACT:**

- Changes related to the Enforcement of Failure to Stop for School Bus with Flashing Red Lights, contained within Title 75 Section 3345.1, would have no adverse impact on Commonwealth funds
- Changes related to the extension of Title 75 Section 3370 - Program for Automated Speed Enforcement Systems on a Designated Highway, would have an impact on Commonwealth funds, specifically the Motor License Fund and Local Municipal Funds. By expanding and making the program permanent, the fiscal impact would be two-fold. First, the program administrator, Philadelphia Parking Authority (PPA), would be able to continue collecting revenues related to automated speed enforcement on Roosevelt Boulevard in the City of Philadelphia, as a result of program violations. Enforcement data for Roosevelt Boulevard shows:

<b>ROOSEVELT BOULEVARD SPEED CAMERA REPORT</b>		
<b>PHILADELPHIA PARKING AUTHORITY DATA</b>		
<b>Type / CY</b>	<b>2022</b>	<b>2023</b>
<b>Violation Revenue</b>	\$ 22,798,478	\$ 17,817,682
<b>Expenditures</b>		
<i>Equipment</i>	\$ 856,328	\$ 1,243,569
<i>Program Costs/Collection Fees</i>	\$ 1,094,839	\$ 793,950
<i>Philadelphia Police Dept.</i>	\$ 79,402	\$ 98,375
<i>Philadelphia Dept. of Finance</i>	\$ 64,063	\$ 54,640
<i>Personnel Costs</i>	\$ 576,305	\$ 665,933
<i>PPA Support</i>	\$ 448,487	\$ 703,627
<i>Rent Expense</i>	\$ 47,384	\$ 44,636
<i>Misc. Expenses</i>	\$ 266,686	\$ 110,008
<b>Subtotal Expenditures</b>	<b>\$ 3,433,494</b>	<b>\$ 3,714,738</b>
<b>Net Income</b>	<b>\$ 19,364,984</b>	<b>\$ 14,102,944</b>
<b>Revenue Transferred to State</b>	<b>\$ 2,946,362</b>	<b>\$ 7,012,187</b>

Second, the expansion of the program would allow for the collection of additional fines on four ancillary corridors within the City of Philadelphia. At this time, a fiscal estimate related to the revenue collections is indeterminate. If we assume that costs related to each corridor would be similar to what PPA's costs are related to Roosevelt Boulevard, then we can assume that such costs would be about \$3,500,000 per calendar year.

- Changes related to the extension of Title 75 Section 3369 (Automated Speed Enforcement Systems in Active Work Zones) would allow PennDOT and PA Turnpike Commission (PTC) to continue collecting fines, related to Automated Work Zone Speed Enforcement Program (AWZSE) violations. Analysis of data provided by PennDOT and PTC shows the collection and expenses related to the program administration by Fiscal Year, since the program's inception.

Other components which provide additional context related to the AWZSE include Credit Card Processing Fees and Uncollectible Revenues:

- Credit Card Processing Fees

- \$3.75 per transaction completed via telephone or online payment methods
- Fees do not come to PennDOT or PTC, but are rather retained by the System Administrator responsible for the payment processing elements of the statewide program
- From the start of the program in March 2020 through end of June 2023 the program has had \$478,875 in such fees
  - PennDOT related fees were \$183,187.50
  - PTC related fees were \$295,687.50
- Uncollectible Revenues
  - For violations that have occurred that remain open (i.e. unpaid) as of end of June 2023, the outstanding violation amount that remains unpaid across the program is \$3.9 million
    - PennDOT unpaid violations are approximately \$1.6 million
    - PTC unpaid violations are approximately \$2.25 million

<b>Automated Work Zone Speed Enforcement Program</b>				
<i>Revenue and Expense Analysis</i>				
<b>Turnpike Commission (PTC)</b>				
Item / FY	2019/20*	2020/21	2021/22	2022/23
<b>Revenue:</b>				
Violation Revenue	\$ 2,290	\$ 1,514,819	\$ 3,800,830	\$ 5,743,024
<b>Expenses:</b>				
Program Administrator	\$ -	\$ 971,285	\$ 362,349	\$ 397,534
System Administrator	\$ 45,857	\$ 626,083	\$ 1,808,853	\$ 1,947,873
Pennsylvania State Police	\$ 76,695	\$ 267,842	\$ 283,374	\$ 174,342
Collection Agency Fees	\$ -	\$ -	\$ -	\$ 18,204
Other Fees	\$ 142,922	\$ 57,943	\$ 46,471	\$ 46,112
<b>Subtotal</b>	\$ 265,474	\$ 1,923,153	\$ 2,501,048	\$ 2,584,065
<b>PTC Income/(Loss):</b>	\$ (263,184)	\$ (408,335)	\$ 1,299,782	\$ 3,158,959
<b>PennDOT</b>				
Item / FY	2019/20*	2020/21	2021/22	2022/23
<b>Revenue:</b>				
Violation Revenue	\$ 61,485	\$ 2,110,695	\$ 3,443,481	\$ 1,338,410
<b>Expenses:</b>				
Program Administrator	\$ 713,992	\$ 1,460,824	\$ 901,021	\$ 1,277,584
System Administrator	\$ 97,678	\$ 985,810	\$ 2,872,186	\$ 3,803,842
Other Fees	\$ -	\$ (225,773)	\$ (381,767)	\$ (2,034,275)
<b>Subtotal</b>	\$ 811,670	\$ 2,220,861	\$ 3,391,440	\$ 3,047,151
<b>DOT Income/(Loss):</b>	\$ (750,185)	\$ (110,165)	\$ 52,041	\$ (1,708,741)
<b>Combined Income/(Loss)</b>	\$ (1,013,368)	\$ (518,500)	\$ 1,351,824	\$ 1,450,218

\* Partial Fiscal Year: For 2019/20 - Jan, 2020 through Jun 2020;

- Creation of a Pilot Program for Automated Speed Enforcement Systems in Designated School Zones would have no adverse impact on Commonwealth funds

- The requirement to have the Local Government Commission conduct a study would have an adverse impact on Commonwealth funds. Members of the Commission are members of the General Assembly, and as such some of the associated costs of a member's time would be paid by their respective caucuses. Other costs, specifically related to the actual study, would be borne by the Commission. According to the Commission, total costs associated with conducting the study would be approximately \$47,000, with components consisting of:

<b>Local Gov't Commission</b>	
<b>2-Year Automated Speed Enforcement Study Costs</b>	
<i>Incidentals</i>	\$ 5,000
<i>Staff Time</i> (One Research Analyst @ 1/10 of their time)	\$ 12,000
<i>RFP for Academic Assistance</i>	\$ 30,000
	<b>\$ 47,000</b>

**PREPARED BY:** Gueorgui Tochev  
House Appropriations Committee (D)

**DATE:** December 13, 2023

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