

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. Senate Bill 458

PRINTER NO. 711

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

February 28, 2017

PRIME SPONSOR

Senator Argall

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 458 amends Title 66 (Public Utilities) to provide for contract carriers by motor vehicles and penalties for failure to comply with the law.

The legislation expands the definition of "common carrier by motor vehicle" to include any person who provides or furnishes transportation of household property between residential dwellings within the Commonwealth by motor vehicle for compensation, owns or operates the motor vehicle and provides or furnishes a driver of the motor vehicle with the transportation.

Senate Bill 458 excludes from the definition of "common carrier by motor vehicle" a motor carrier when the motor carrier provides transportation of household goods in containers or trailers that are entirely packed, loaded, unloaded or unpacked by an individual other than an employee or agent of the motor carrier.

The legislation expands the definition of "contract carrier by motor vehicle" to include any person or corporation that provides or furnishes transportation of household property between residential dwellings within this Commonwealth by motor vehicle for compensation, owns or operates the motor vehicle and provides or furnishes a driver of the motor vehicle with the transportation or use of the transportation.

The bill excludes from the definition of a "contract carrier by motor vehicle" a motor carrier when the motor carrier provides transportation of household goods in containers or trailers that are entirely packed, loaded, unloaded or unpacked by an individual other than an employee or agent of the motor carrier.

Senate Bill 458 provides for an administrative fine for common carriers by motor vehicle and contract carriers by motor vehicle for failure to comply with the provisions of Chapter 33 of the Public Utility Code in the amount of \$5,000 for a first offense and \$10,000 for subsequent offenses, and the violator may be subject to registration suspension and confiscation and impoundment of the vehicle.

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

The legislation stipulates that all costs and fines collected and penalties recovered will be deposited into the General Fund and deemed an augmentation to any appropriation to the Public Utility Commission, provided the money is used for motor carrier enforcement.

The act shall take effect in 60 days.

FISCAL IMPACT:

Senate Bill 458 will have no fiscal impact on Commonwealth funds.

The Public Utility Commission has indicated that additional money would be needed to increase enforcement beyond what is currently being done. The legislation stipulates that all costs and fines collected and penalties recovered will be deposited into the General Fund and deemed an augmentation to any appropriation to the Public Utility Commission (PUC), provided the money is used for motor carrier enforcement. Therefore, it is anticipated that the PUC will utilize any increased fines and penalties collected to offset any increased costs of enforcement.