

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. Senate Bill 564

PRINTER NO. 610

AMOUNT

No Fiscal Impact

FUND

Motor License Fund

DATE INTRODUCED

March 28, 2017

PRIME SPONSOR

Senator Yaw

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 564 establishes a freestanding act entitled the "Bridge Fencing Safety Act" to provide for installation of protective fencing on certain state-owned bridges by the Pennsylvania Department of Transportation (Department).

This legislation requires the Department 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.

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, the Department, as part of its preliminary design process, shall consider installation of protective fencing at all of the following locations:

- 1) Near a school, playground or other site frequently used by children;
- 2) In an urban area used exclusively by pedestrians and not easily kept under surveillance by police;
- 3) Where experience relating to nearby structures indicates a need for protective fencing; and
- 4) 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.

Exceptions to these provisions are as follows:

- 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:
 - Decides that fencing must not be placed on the bridge;
 - Provides a statement to the Department that there have been no incidents of objects being dropped from the bridge onto traffic; and
 - Agrees that local law enforcement will monitor the bridge.

This act shall take effect immediately.

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FISCAL IMPACT:

According to the Department, 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. Additionally, this legislation does not require the Department to install protective fencing on any bridges where it currently does not exist.

Therefore, enactment of this legislation will not result in an adverse effect on Commonwealth funds.