

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 1410

PRINTER NO. 2613

AMOUNT

See Fiscal Impact

FUND

Motor License Fund

DATE INTRODUCED

May 14, 2021

PRIME SPONSOR

Representative Fee

DESCRIPTION

House Bill 1410 creates a freestanding act entitled the "Weigh Station Preclearance Program Act," which establishes a weigh station preclearance program within the Pennsylvania State Police (PSP).

This legislation defines the following terms:

- "Preclearance system provider." A provider of the preclearance system;
- "Program." The Weigh Station Preclearance Program; and
- "Weigh station." A roadside station where commercial vehicles are required to stop for weight and safety inspections by the Pennsylvania State Police (PSP).

Under this legislation the PSP shall establish the program in accordance with the commercial vehicle information systems and networks electronic screening truck inspection and weigh station preclearance standards authorized by the Federal Motor Carrier Safety Administration (FMCSA). This legislation provides that any proposed infrastructure to be installed within the right-of-way of a state highway must be designed and constructed in accordance with standards from the Department of Transportation (department) and the Pennsylvania Turnpike Commission (commission), as applicable, and reviewed by the department and the commission for approval prior to construction.

The PSP is required to operate the program at each location where commercial vehicle enforcement is conducted. A preclearance system provider's devices and platform shall be used uniformly at each location where the program is operated.

The PSP shall also establish standards for the program in order to meet the needs of the Commonwealth and conform with weigh station preclearance programs in other states, including standards regarding safety history credential status.

The program shall be administered by a preclearance system (system), and the system shall meet the following criteria:

- 1) Be GPS-based or infrastructure-based and capable of being used at both fixed enforcement facilities and mobile or remote locations; and

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- 2) Be broadly deployed across the United States for interstate operability purposes on the effective date of this section and be accessible by a wide range of in-cab commercial radio services network devices.

This legislation provides that the computer software and hardware, including any infrastructure-based devices or technologies, necessary for the use of the system shall be made available at no cost to the PSP, and the system provider shall be responsible for all costs of operating and maintaining the computer software and hardware. The computer software and hardware shall meet the following criteria:

- Requirements of the FMCSA for core compliance with the commercial vehicle information systems and networks electronic screening truck inspection and weigh station preclearance standards;
- In-vehicle equipment shall be operated in compliance with applicable state law and regulations relating to hands-free devices and distracted driving; and
- Preclearance messaging shall be transmitted and received by the driver through electronic messaging within the cab of the commercial vehicle.

The bill authorizes the PSP, the department and the commission to have unrestricted access to roadside event data provided by the preclearance system, including real-time event data and real-time sensor data.

Additionally, the bill provides for the establishment of policies, standards, rules and regulations as necessary to implement the program, including authorized devices that meet the requirements. The bill allows PSP to consult with the department for the implementation of this program.

This act shall take effect in 180 days.

FISCAL IMPACT:

Enactment of this legislation will have no fiscal impact on Commonwealth funds. PSP will have administrative and operating costs to implement the Weigh Station Preclearance Program, but the preclearance system provider shall be responsible for all costs of operating and maintaining the computer software and hardware. It is projected that all PSP costs can be accommodated with existing funding in the PSP's Commercial Vehicle Safety Division that currently coordinates the Federal Motor Carrier Safety Assistance Program and Pennsylvania's vehicle weight enforcement program. This program is appropriated \$13.4 million from the Motor License Fund in Fiscal Year 2021-22 and proposed to be funded at \$14.2 million in the Governor's Executive Budget for Fiscal Year 2022-23.

It should be noted that while PSP currently uses mobile and random commercial inspections, additional program savings could be realized with reduced inspections as a result of the GPS-based preclearance system that can be used at both fixed enforcement facilities and mobile or remote locations.

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In addition, Pennsylvania is one of the few states not implementing an electronic bypass program. It is possible Pennsylvania could receive additional federal revenues through the Federal Innovative Technology Deployment program with the establishment of the "Weigh Station Preclearance Program Act."