

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 797

PRINTER NO. 2002

AMOUNT

No Fiscal Impact

FUND

Motor License Fund

DATE INTRODUCED

April 3, 2023

PRIME SPONSOR

Representative B. Miller

DESCRIPTION

House Bill 797 amends Act 428 of 1945, known as the State Highway Law, to require the Pennsylvania Department of Transportation (department) to plant native vegetation along highways, where feasible.

A new § 410.1 (relating to native vegetation along highways) is added to provide for the following:

- Requires the department to plant vegetation that is native to this Commonwealth along state highways;
- Allows the department to use nonnative vegetation where the use of native vegetation is not feasible, provided that the nonnative vegetation is not:
 - 1) A federally listed invasive plant identified by the United States Department of Agriculture National Invasive Species Information Center; or
 - 2) A noxious weed or controlled plant under Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes.
- Stipulates that the department shall identify, for each plant hardiness zone and environmental conditions found on highway rights-of-way, a list of the particular species of vegetation that are native to this Commonwealth and that thrive in each plant hardiness zone in which the vegetation is being planted;
- Authorizes the department to use hay, straw or similar materials for erosion control or other purposes at the discretion of the department;
- Defines "plant hardiness zone" as a zone existing in this Commonwealth as identified in the 2012 Plant Hardiness Zone Map published by the United States Department of Agriculture in the geographic information system based edition covering 1976 through 2005 weather data and as it existed on the effective date of this definition or such subsequent date as may be provided by the Pennsylvania Department of Agriculture through regulation.

This act shall take effect immediately.

FISCAL IMPACT:

According to the department, enactment of this legislation will have no fiscal impact on Commonwealth funds. The department is able to identify the list of native vegetation and to provide for the use of native vegetation within existing staffing and budget levels.