

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 1284

PRINTER NO. 2431

AMOUNT

See Fiscal Impact

FUND

General Fund
Motor License Fund
(Restricted Receipt Accounts)

DATE INTRODUCED

May 31, 2023

PRIME SPONSOR

Representative Neilson

DESCRIPTION

House Bill 1284 amends Title 75 (Vehicles) to make technical changes to Section 3345.1 regarding automatic enforcement of overtaking a stopped school bus and omnibus changes regarding automated speed enforcement (ASE) systems.

Section 3369, regarding ASE systems in active work zones on highways under the Department of Transportation (department) and the Pennsylvania Turnpike Commission (commission), is amended to:

- Provide that a second offense is not considered to be committed until at least 15 days after the mailing date of the written warning for a first offense;
- Provide that only violations that occur after the effective date of this legislation shall be counted for the purpose of increasing penalties for second and subsequent offenses;
- Provide a defense to a notice of violation by permitting the individual named in the notice to submit evidence that they were not driving the vehicle at the time of the alleged violation;
- Make technical changes; and
- Remove the sunset date.

Section 3370 is amended to remove the sunset date regarding the ASE system on U.S. Route 1 (Roosevelt Boulevard), as well as permit Philadelphia to expand the ASE system to five additional highway corridors within the city. The city may expand the ASE to a new corridor, that is selected based on speed data and speed-related accidents, after conducting an engineering and traffic investigation as well as providing at least one opportunity for public comment. This legislation also amends Section 3370 to provide that only violations that occur after the effective date of this legislation shall be counted for the purposes of increasing penalties for second and subsequent offenses, as well as make technical changes.

This legislation adds a new Section 3370.1 that requires the Local Government Commission (LGC) to conduct a study and issue a report regarding the expansion of ASE systems on municipal streets and highways. The report is due within two years of the effective date.

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This legislation adds a new section 3371 to establish a pilot program for automated speed enforcement systems in school zones in Philadelphia. The city, upon agreement with the Secretary of Transportation, may establish an ASE system in up to five school zones within the city. This section:

- Establishes that driving more than 11 miles per hour over the speed limit constitutes a violation and sets a maximum penalty of \$150 per violation;
- Provides for the duties of the department, the city and the Philadelphia Parking Authority as the ASE system administrator;
- Requires the Secretary of Transportation to publish notice in the Pennsylvania Bulletin when the ASE system becomes operational in a school zone; and
- Provides that the authorization for the pilot program expires December 31, 2029.

This legislation is scheduled to take effect as follows:

- The amendments to Section 3345.1, the removal of the sunset provisions for ASE systems under Sections 3369 and 3370 and the new section regarding the LGC study are scheduled to take effect immediately;
- The provisions relating to penalties for violations under the ASE system in school zones take effect 60 days after notice is published in the Pennsylvania Bulletin; and
- The remaining provisions are scheduled to take effect in 60 days.

FISCAL IMPACT:

According to the department and the commission, maintaining authorization for the automated speed enforcement systems in active work zones under Section 3369 will result in continued annual revenue of \$2.4 million to be used for highway safety improvement projects and countermeasures.

Based on average revenue from the prior three fiscal years, maintaining authorization for the automated speed enforcement system on Roosevelt Boulevard under Section 3370 will result in continued annual revenue of \$15.5 million, which is used for a transportation grant enhancement program. Expanding automated speed enforcement systems to additional highway corridors and school zones within Philadelphia will result in increased revenue for the grant program. The amount of increased revenue will be dependent on the number of violations issued.

The study required under Section 3370.1 can be performed by the Local Government Commission within its current budget.