

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 254 Session of 2011

INTRODUCED BY GROVE, BOYD, CLYMER, D. COSTA, DENLINGER, GINGRICH, HARRIS, HORNAMAN, M. K. KELLER, MILLER, MOUL, VULAKOVICH, MURT, KAVULICH, BURNS, REICHLEY, MULLERY, MARSHALL, LAWRENCE, BRIGGS AND KORTZ, JANUARY 26, 2011

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JUNE 28, 2012

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for DISPLAY OF REGISTRATION PLATE
3 AND FOR learners' permits; PROVIDING FOR AUTOMATED RED LIGHT
4 ENFORCEMENT SYSTEMS IN CERTAIN MUNICIPALITIES; AND FURTHER
5 PROVIDING FOR SPECIFIC POWERS OF DEPARTMENT AND LOCAL
6 AUTHORITIES.



7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 1505(e) of Title 75 of the Pennsylvania
10 Consolidated Statutes, amended October 25, 2011 (P.L. 334,
11 No. 81), is amended and the section is amended by adding a
12 subsection to read:



13 SECTION 1. SECTION 1332(B)(2) OF TITLE 75 OF THE
14 PENNSYLVANIA CONSOLIDATED STATUTES IS AMENDED TO READ:
15 § 1332. DISPLAY OF REGISTRATION PLATE.



16 * * *

17 (B) OBSCURING PLATE.--IT IS UNLAWFUL TO DISPLAY ON ANY
18 VEHICLE A REGISTRATION PLATE WHICH:

1 * * *

2 (2) IS OBSCURED IN ANY MANNER WHICH INHIBITS THE PROPER
3 OPERATION OF AN AUTOMATED RED LIGHT ENFORCEMENT SYSTEM IN
4 PLACE PURSUANT TO SECTION 3116 (RELATING TO AUTOMATED RED
5 LIGHT ENFORCEMENT SYSTEMS IN FIRST CLASS CITIES) OR 3117
6 (RELATING TO AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS IN
7 CERTAIN MUNICIPALITIES); OR

8 * * *

9 SECTION 2. SECTION 1505(E) OF TITLE 75, AMENDED OCTOBER 25,
10 2011 (P.L.334, NO.81), IS AMENDED AND THE SECTION IS AMENDED BY
11 ADDING A SUBSECTION TO READ:

12 § 1505. Learners' permits.

13 * * *

14 (e) Authorization to test for driver's license and junior
15 driver's license.--A person with a learner's permit is
16 authorized to take the examination for a regular or junior
17 driver's license for the class of vehicle for which a permit is
18 held. Before a person under the age of 18 years may take the
19 examination for a junior driver's license, including a Class M
20 license to operate a motorcycle, the minor must:

21 (1) Have held a learner's permit for that class of
22 vehicle for a period of six months.

23 (2) Present to the department a certification form
24 signed by the father, mother, guardian, person in loco
25 parentis or spouse of a married minor stating that the minor
26 applicant has:

27 (i) completed 65 hours of practical driving
28 experience[, including] accompanied as required under
29 subsection (b); and

30 (ii) except for a Class M license to operate a

1 motorcycle, the 65 hours included no less than ten hours
2 of nighttime driving and five hours of inclement weather
3 driving[, accompanied as required under subsection (b).
4 Submission of a certification shall not subject the
5 parent, guardian, person in loco parentis or spouse of a
6 married minor to any liability based upon the
7 certification].

8 (3) Have the certification form completed when the minor
9 is ready for the licensing examination. The certification
10 form shall be developed by the department and will be
11 provided by the department when the original application for
12 a learner's permit is processed. The department will make
13 this form readily available through the mail or electronic
14 means.

15 (4) For a Class M license to operate a motorcycle,
16 present evidence of successful completion of the department-
17 approved motorcycle safety course.

18 * * *

19 (g) Liability.--Submission of a certification under
20 subsection (e)(2) shall not subject the parent, guardian, person
21 in loco parentis or spouse of a married minor to any liability
22 based upon the certification.

23 ~~Section 2. This act shall take effect in 60 days.~~ ←

24 SECTION 3. SECTION 3116 OF TITLE 75, AMENDED DECEMBER 22, ←
25 2011 (P.L.596, NO.129), IS REENACTED AND AMENDED TO READ:
26 § 3116. AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS IN FIRST CLASS
27 CITIES.

28 (A) GENERAL RULE.--

29 (1) A CITY OF THE FIRST CLASS, UPON PASSAGE OF AN
30 ORDINANCE, IS AUTHORIZED TO ENFORCE SECTION 3112(A)(3)

1 (RELATING TO TRAFFIC-CONTROL SIGNALS) BY RECORDING VIOLATIONS
2 USING AN AUTOMATED RED LIGHT ENFORCEMENT SYSTEM APPROVED BY
3 THE DEPARTMENT.

4 (2) THIS SECTION SHALL ONLY BE APPLICABLE AT
5 INTERSECTIONS IN THE CITY OF THE FIRST CLASS AGREED UPON BY
6 THE SYSTEM ADMINISTRATOR AND THE SECRETARY OF TRANSPORTATION
7 WHO SHALL CONSIDER USING THE AUTOMATED RED LIGHT ENFORCEMENT
8 SYSTEM AT THE FOLLOWING INTERSECTIONS:

9 (I) U.S. ROUTE 1 (ROOSEVELT BOULEVARD) AT GRANT
10 AVENUE, AT RED LION ROAD AND AT COTTMAN STREET.

11 (II) KENSINGTON AVENUE AT CLEARFIELD STREET.

12 (III) RICHMOND STREET AT ALLEGHENY AVENUE AND AT
13 CASTOR AVENUE.

14 (IV) ARAMINGO AVENUE AT YORK STREET.

15 (V) THOMPSON STREET AT LEHIGH AVENUE.

16 (VI) BROAD STREET AT WASHINGTON AVENUE.

17 (B) OWNER LIABILITY.--FOR EACH VIOLATION PURSUANT TO THIS
18 SECTION, THE OWNER OF THE VEHICLE SHALL BE LIABLE FOR THE
19 PENALTY IMPOSED UNLESS THE OWNER IS CONVICTED OF THE SAME
20 VIOLATION UNDER ANOTHER SECTION OF THIS TITLE OR HAS A DEFENSE
21 UNDER SUBSECTION (F).

22 (C) CERTIFICATE AS EVIDENCE.--A CERTIFICATE, OR A FACSIMILE
23 OF A CERTIFICATE, BASED UPON INSPECTION OF RECORDED IMAGES
24 PRODUCED BY AN AUTOMATED RED LIGHT ENFORCEMENT SYSTEM AND SWORN
25 TO OR AFFIRMED BY A POLICE OFFICER EMPLOYED BY THE CITY OF THE
26 FIRST CLASS SHALL BE PRIMA FACIE EVIDENCE OF THE FACTS CONTAINED
27 IN IT. THE CITY MUST INCLUDE WRITTEN DOCUMENTATION THAT THE
28 AUTOMATED RED LIGHT ENFORCEMENT SYSTEM WAS OPERATING CORRECTLY
29 AT THE TIME OF THE ALLEGED VIOLATION. A RECORDED IMAGE
30 EVIDENCING A VIOLATION OF SECTION 3112(A) (3) SHALL BE ADMISSIBLE

1 IN ANY JUDICIAL OR ADMINISTRATIVE PROCEEDING TO ADJUDICATE THE
2 LIABILITY FOR THE VIOLATION.

3 (D) PENALTY.--

4 (1) THE PENALTY FOR A VIOLATION UNDER SUBSECTION (A)
5 SHALL BE A FINE OF \$100 UNLESS A LESSER AMOUNT IS SET BY
6 ORDINANCE.

7 (2) A FINE IS NOT AUTHORIZED FOR A VIOLATION OF THIS
8 SECTION IF ANY OF THE FOLLOWING APPLY:

9 (I) THE INTERSECTION IS BEING MANUALLY CONTROLLED.

10 (II) THE SIGNAL IS IN THE MODE DESCRIBED IN SECTION
11 3114 (RELATING TO FLASHING SIGNALS).

12 (3) A FINE IS NOT AUTHORIZED DURING:

13 (I) THE FIRST 120 DAYS OF OPERATION OF THE AUTOMATED
14 SYSTEM AT THE INITIAL INTERSECTION.

15 (II) THE FIRST [60] 45 DAYS FOR EACH ADDITIONAL
16 INTERSECTION SELECTED FOR THE AUTOMATED SYSTEM.

17 (3.1) A WARNING MAY BE SENT TO THE VIOLATOR UNDER
18 PARAGRAPH (3).

19 (4) A PENALTY IMPOSED UNDER THIS SECTION SHALL NOT BE
20 DEEMED A CRIMINAL CONVICTION AND SHALL NOT BE MADE PART OF
21 THE OPERATING RECORD UNDER SECTION 1535 (RELATING TO SCHEDULE
22 OF CONVICTIONS AND POINTS) OF THE INDIVIDUAL UPON WHOM THE
23 PENALTY IS IMPOSED, NOR MAY THE IMPOSITION OF THE PENALTY BE
24 SUBJECT TO MERIT RATING FOR INSURANCE PURPOSES.

25 (5) NO SURCHARGE POINTS MAY BE IMPOSED IN THE PROVISION
26 OF MOTOR VEHICLE INSURANCE COVERAGE. FINES COLLECTED UNDER
27 THIS SECTION SHALL NOT BE SUBJECT TO 42 PA.C.S. § 3571
28 (RELATING TO COMMONWEALTH PORTION OF FINES, ETC.) OR 3573
29 (RELATING TO MUNICIPAL CORPORATION PORTION OF FINES, ETC.).

30 (E) LIMITATIONS.--

1 (1) NO AUTOMATED RED LIGHT ENFORCEMENT SYSTEM SHALL BE
2 UTILIZED IN SUCH A MANNER AS TO TAKE A FRONTAL VIEW RECORDED
3 IMAGE OF THE VEHICLE AS EVIDENCE OF HAVING COMMITTED A
4 VIOLATION.

5 (2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, CAMERA
6 EQUIPMENT DEPLOYED AS PART OF AN AUTOMATED RED LIGHT
7 ENFORCEMENT SYSTEM AS PROVIDED IN THIS SECTION MUST BE
8 INCAPABLE OF AUTOMATED OR USER-CONTROLLED REMOTE INTERSECTION
9 SURVEILLANCE BY MEANS OF RECORDED VIDEO IMAGES. RECORDED
10 IMAGES COLLECTED AS PART OF THE AUTOMATED RED LIGHT
11 ENFORCEMENT SYSTEM MUST ONLY RECORD TRAFFIC VIOLATIONS AND
12 MAY NOT BE USED FOR ANY OTHER SURVEILLANCE PURPOSES. THE
13 RESTRICTIONS SET FORTH IN THIS PARAGRAPH SHALL NOT BE DEEMED
14 TO PRECLUDE A COURT OF COMPETENT JURISDICTION FROM ISSUING AN
15 ORDER DIRECTING THAT THE INFORMATION BE PROVIDED TO LAW
16 ENFORCEMENT OFFICIALS IF THE INFORMATION IS REASONABLY
17 DESCRIBED AND IS REQUESTED SOLELY IN CONNECTION WITH A
18 CRIMINAL LAW ENFORCEMENT ACTION.

19 (3) NOTWITHSTANDING ANY OTHER PROVISION OF LAW,
20 INFORMATION PREPARED UNDER THIS SECTION AND INFORMATION
21 RELATING TO VIOLATIONS UNDER THIS SECTION WHICH IS KEPT BY
22 THE CITY OF THE FIRST CLASS, ITS AUTHORIZED AGENTS OR ITS
23 EMPLOYEES, INCLUDING RECORDED IMAGES, WRITTEN RECORDS,
24 REPORTS OR FACSIMILES, NAMES, ADDRESSES AND THE NUMBER OF
25 VIOLATIONS UNDER THIS SECTION, SHALL BE FOR THE EXCLUSIVE USE
26 OF THE CITY, ITS AUTHORIZED AGENTS, ITS EMPLOYEES AND LAW
27 ENFORCEMENT OFFICIALS FOR THE PURPOSE OF DISCHARGING THEIR
28 DUTIES UNDER THIS SECTION AND UNDER ANY ORDINANCES AND
29 RESOLUTIONS OF THE CITY. THE INFORMATION SHALL NOT BE DEEMED
30 A PUBLIC RECORD UNDER THE ACT OF [JUNE 21, 1957 (P.L.390,

1 NO.212), REFERRED TO] FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN
2 AS THE RIGHT-TO-KNOW LAW. THE INFORMATION SHALL NOT BE
3 DISCOVERABLE BY COURT ORDER OR OTHERWISE, NOR SHALL IT BE
4 OFFERED IN EVIDENCE IN ANY ACTION OR PROCEEDING WHICH IS NOT
5 DIRECTLY RELATED TO A VIOLATION OF THIS SECTION OR ANY
6 ORDINANCE OR RESOLUTION OF THE CITY. THE RESTRICTIONS SET
7 FORTH IN THIS PARAGRAPH SHALL NOT BE DEEMED TO PRECLUDE A
8 COURT OF COMPETENT JURISDICTION FROM ISSUING AN ORDER
9 DIRECTING THAT THE INFORMATION BE PROVIDED TO LAW ENFORCEMENT
10 OFFICIALS IF THE INFORMATION IS REASONABLY DESCRIBED AND IS
11 REQUESTED SOLELY IN CONNECTION WITH A CRIMINAL LAW
12 ENFORCEMENT ACTION.

13 (4) RECORDED IMAGES OBTAINED THROUGH THE USE OF
14 AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS DEPLOYED AS A MEANS
15 OF PROMOTING TRAFFIC SAFETY IN A CITY OF THE FIRST CLASS
16 SHALL BE DESTROYED WITHIN ONE YEAR OF FINAL DISPOSITION OF
17 ANY RECORDED EVENT. THE CITY SHALL FILE NOTICE WITH THE
18 DEPARTMENT OF STATE THAT THE RECORDS HAVE BEEN DESTROYED IN
19 ACCORDANCE WITH THIS SECTION.

20 (5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW,
21 REGISTERED VEHICLE OWNER INFORMATION OBTAINED AS A RESULT OF
22 THE OPERATION OF AN AUTOMATED RED LIGHT ENFORCEMENT SYSTEM
23 UNDER THIS SECTION SHALL NOT BE THE PROPERTY OF THE
24 MANUFACTURER OR VENDOR OF THE AUTOMATED RED LIGHT ENFORCEMENT
25 SYSTEM AND MAY NOT BE USED FOR ANY PURPOSE OTHER THAN
26 PRESCRIBED IN THIS SECTION.

27 (F) DEFENSES.--

28 (1) IT SHALL BE A DEFENSE TO A VIOLATION UNDER THIS
29 SECTION THAT THE PERSON NAMED IN THE NOTICE OF THE VIOLATION
30 WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION.

1 THE OWNER MAY BE REQUIRED TO SUBMIT EVIDENCE THAT THE OWNER
2 WAS NOT THE DRIVER AT THE TIME OF THE ALLEGED VIOLATION. THE
3 CITY OF THE FIRST CLASS MAY NOT REQUIRE THE OWNER OF THE
4 VEHICLE TO DISCLOSE THE IDENTITY OF THE OPERATOR OF THE
5 VEHICLE AT THE TIME OF THE VIOLATION.

6 (2) IF AN OWNER RECEIVES A NOTICE OF VIOLATION PURSUANT
7 TO THIS SECTION OF A TIME PERIOD DURING WHICH THE VEHICLE WAS
8 REPORTED TO A POLICE DEPARTMENT OF ANY STATE OR MUNICIPALITY
9 AS HAVING BEEN STOLEN, IT SHALL BE A DEFENSE TO A VIOLATION
10 PURSUANT TO THIS SECTION THAT THE VEHICLE HAS BEEN REPORTED
11 TO A POLICE DEPARTMENT AS STOLEN PRIOR TO THE TIME THE
12 VIOLATION OCCURRED AND HAD NOT BEEN RECOVERED PRIOR TO THAT
13 TIME.

14 (3) IT SHALL BE A DEFENSE TO A VIOLATION UNDER THIS
15 SECTION THAT THE PERSON RECEIVING THE NOTICE OF VIOLATION WAS
16 NOT THE OWNER OF THE VEHICLE AT THE TIME OF THE OFFENSE.

17 (G) DEPARTMENT APPROVAL.--NO AUTOMATED RED LIGHT ENFORCEMENT
18 SYSTEM MAY BE USED WITHOUT THE APPROVAL OF THE DEPARTMENT, WHICH
19 SHALL HAVE THE AUTHORITY TO PROMULGATE REGULATIONS FOR THE
20 CERTIFICATION AND USE OF SUCH SYSTEMS.

21 (H) DUTY OF CITY.--IF A CITY OF THE FIRST CLASS ELECTS TO
22 IMPLEMENT THIS SECTION, THE FOLLOWING PROVISIONS SHALL APPLY:

23 (1) THE CITY MAY NOT USE AN AUTOMATED RED LIGHT
24 ENFORCEMENT SYSTEM UNLESS THERE IS POSTED AN APPROPRIATE SIGN
25 IN A CONSPICUOUS PLACE BEFORE THE AREA IN WHICH THE AUTOMATED
26 RED LIGHT ENFORCEMENT DEVICE IS TO BE USED NOTIFYING THE
27 PUBLIC THAT AN AUTOMATED RED LIGHT ENFORCEMENT DEVICE IS IN
28 USE IMMEDIATELY AHEAD.

29 (2) THE CITY SHALL DESIGNATE OR APPOINT THE PHILADELPHIA
30 PARKING AUTHORITY AS THE SYSTEM ADMINISTRATOR TO SUPERVISE

1 AND COORDINATE THE ADMINISTRATION OF NOTICES OF VIOLATION
2 ISSUED UNDER THIS SECTION.

3 (3) THE SYSTEM ADMINISTRATOR SHALL PREPARE A NOTICE OF
4 VIOLATION TO THE REGISTERED OWNER OF A VEHICLE IDENTIFIED IN
5 A RECORDED IMAGE PRODUCED BY AN AUTOMATED RED LIGHT
6 ENFORCEMENT SYSTEM AS EVIDENCE OF A VIOLATION OF SECTION
7 3112(A)(3). THE ISSUANCE OF THE NOTICE OF VIOLATION MUST BE
8 DONE BY A POLICE OFFICER EMPLOYED BY THE POLICE DEPARTMENT
9 WITH PRIMARY JURISDICTION OVER THE AREA WHERE THE VIOLATION
10 OCCURRED. THE NOTICE OF VIOLATION SHALL HAVE ATTACHED TO IT A
11 COPY OF THE RECORDED IMAGE SHOWING THE VEHICLE; THE
12 REGISTRATION NUMBER AND STATE OF ISSUANCE OF THE VEHICLE
13 REGISTRATION; THE DATE, TIME AND PLACE OF THE ALLEGED
14 VIOLATION; THAT THE VIOLATION CHARGED IS UNDER SECTION
15 3112(A)(3); AND INSTRUCTIONS FOR RETURN OF THE NOTICE OF
16 VIOLATION. THE TEXT OF THE NOTICE MUST BE AS FOLLOWS:

17 THIS NOTICE SHALL BE RETURNED PERSONALLY, BY MAIL OR BY
18 AN AGENT DULY AUTHORIZED IN WRITING, WITHIN 30 DAYS OF
19 ISSUANCE. A HEARING MAY BE OBTAINED UPON THE WRITTEN
20 REQUEST OF THE REGISTERED OWNER.

21 (I) SYSTEM ADMINISTRATOR.--

22 (1) THE SYSTEM ADMINISTRATOR MAY HIRE AND DESIGNATE
23 PERSONNEL AS NECESSARY OR CONTRACT FOR SERVICES TO IMPLEMENT
24 THIS SECTION.

25 (2) THE SYSTEM ADMINISTRATOR SHALL PROCESS FINES ISSUED
26 PURSUANT TO THIS SECTION.

27 (3) THE SYSTEM ADMINISTRATOR SHALL SUBMIT AN ANNUAL
28 REPORT TO THE CHAIRMAN AND THE MINORITY CHAIRMAN OF THE
29 TRANSPORTATION COMMITTEE OF THE SENATE AND THE CHAIRMAN AND
30 MINORITY CHAIRMAN OF THE TRANSPORTATION COMMITTEE OF THE

1 HOUSE OF REPRESENTATIVES. THE REPORT SHALL BE CONSIDERED A
2 PUBLIC RECORD UNDER THE RIGHT-TO-KNOW LAW AND INCLUDE FOR THE
3 PRIOR YEAR:

4 (I) THE NUMBER OF VIOLATIONS AND FINES ISSUED.

5 (II) A COMPILATION OF FINES PAID AND OUTSTANDING.

6 (III) THE AMOUNT OF MONEY PAID TO A VENDOR OR
7 MANUFACTURER UNDER THIS SECTION.

8 (J) NOTICE TO OWNER.--IN THE CASE OF A VIOLATION INVOLVING A
9 MOTOR VEHICLE REGISTERED UNDER THE LAWS OF THIS COMMONWEALTH,
10 THE NOTICE OF VIOLATION MUST BE MAILED WITHIN 30 DAYS AFTER THE
11 COMMISSION OF THE VIOLATION OR WITHIN 30 DAYS AFTER THE
12 DISCOVERY OF THE IDENTITY OF THE REGISTERED OWNER, WHICHEVER IS
13 LATER, AND NOT THEREAFTER TO THE ADDRESS OF THE REGISTERED OWNER
14 AS LISTED IN THE RECORDS OF THE DEPARTMENT. IN THE CASE OF MOTOR
15 VEHICLES REGISTERED IN JURISDICTIONS OTHER THAN THIS
16 COMMONWEALTH, THE NOTICE OF VIOLATION MUST BE MAILED WITHIN 30
17 DAYS AFTER THE DISCOVERY OF THE IDENTITY OF THE REGISTERED
18 OWNER, AND NOT THEREAFTER TO THE ADDRESS OF THE REGISTERED OWNER
19 AS LISTED IN THE RECORDS OF THE OFFICIAL IN THE JURISDICTION
20 HAVING CHARGE OF THE REGISTRATION OF THE VEHICLE. A NOTICE OF
21 VIOLATION UNDER THIS SECTION MUST BE PROVIDED TO AN OWNER WITHIN
22 90 DAYS OF THE COMMISSION OF THE OFFENSE.

23 (K) MAILING OF NOTICE AND RECORDS.--NOTICE OF VIOLATION MUST
24 BE SENT BY FIRST CLASS MAIL. A MANUAL OR AUTOMATIC RECORD OF
25 MAILING PREPARED BY THE SYSTEM ADMINISTRATOR IN THE ORDINARY
26 COURSE OF BUSINESS SHALL BE PRIMA FACIE EVIDENCE OF MAILING AND
27 SHALL BE ADMISSIBLE IN ANY JUDICIAL OR ADMINISTRATIVE PROCEEDING
28 AS TO THE FACTS CONTAINED IN IT.

29 (L) PAYMENT OF FINE.--

30 (1) AN OWNER TO WHOM A NOTICE OF VIOLATION HAS BEEN

1 ISSUED MAY ADMIT RESPONSIBILITY FOR THE VIOLATION AND PAY THE
2 FINE PROVIDED IN THE NOTICE.

3 (2) PAYMENT MUST BE MADE PERSONALLY, THROUGH AN
4 AUTHORIZED AGENT, ELECTRONICALLY OR BY MAILING BOTH PAYMENT
5 AND THE NOTICE OF VIOLATION TO THE SYSTEM ADMINISTRATOR.
6 PAYMENT BY MAIL MUST BE MADE ONLY BY MONEY ORDER, CREDIT CARD
7 OR CHECK MADE PAYABLE TO THE SYSTEM ADMINISTRATOR. THE SYSTEM
8 ADMINISTRATOR SHALL REMIT THE FINE, LESS THE SYSTEM
9 ADMINISTRATOR'S OPERATION AND MAINTENANCE COSTS NECESSITATED
10 BY THIS SECTION, TO THE DEPARTMENT FOR DEPOSIT INTO A
11 RESTRICTED RECEIPTS ACCOUNT IN THE MOTOR LICENSE FUND. FINES
12 DEPOSITED IN THE FUND UNDER THIS PARAGRAPH SHALL BE USED BY
13 THE DEPARTMENT TO DEVELOP, BY REGULATION, A TRANSPORTATION
14 ENHANCEMENTS GRANT PROGRAM. THE DEPARTMENT SHALL AWARD
15 TRANSPORTATION ENHANCEMENT GRANTS ON A COMPETITIVE BASIS. THE
16 DEPARTMENT MAY PAY ANY ACTUAL ADMINISTRATIVE COSTS ARISING
17 FROM ITS ADMINISTRATION OF THIS SECTION. THE DEPARTMENT MAY
18 NOT RESERVE, DESIGNATE OR SET ASIDE ANY SPECIFIC LEVEL OF
19 FUNDS OR PERCENTAGE OF FUNDS TO AN APPLICANT PRIOR TO THE
20 COMPLETION OF THE APPLICATION PROCESS, NOR MAY THE DEPARTMENT
21 DESIGNATE A SET PERCENTAGE OF FUNDS TO AN APPLICANT. GRANTS
22 SHALL BE AWARDED BY THE DEPARTMENT BASED ON THE MAJORITY VOTE
23 OF A SELECTION COMMITTEE CONSISTING OF FOUR REPRESENTATIVES,
24 WITH THE SECRETARY OR HIS DESIGNEE SERVING AS CHAIRMAN, OF
25 THE DEPARTMENT APPOINTED BY THE SECRETARY AND FOUR MEMBERS
26 APPOINTED BY THE MAYOR OF THE CITY OF THE FIRST CLASS.
27 PRIORITY SHALL BE GIVEN TO APPLICATIONS SEEKING GRANT FUNDS
28 FOR TRANSPORTATION ENHANCEMENTS IN THE MUNICIPALITY WHERE THE
29 AUTOMATED RED LIGHT CAMERA SYSTEM IS OPERATED.

30 (3) PAYMENT OF THE ESTABLISHED FINE AND APPLICABLE

1 PENALTIES SHALL OPERATE AS A FINAL DISPOSITION OF THE CASE.

2 (M) HEARING.--

3 (1) AN OWNER TO WHOM A NOTICE OF VIOLATION HAS BEEN
4 ISSUED MAY, WITHIN 30 DAYS OF THE MAILING OF THE NOTICE,
5 REQUEST A HEARING TO CONTEST THE LIABILITY ALLEGED IN THE
6 NOTICE. A HEARING REQUEST MUST BE MADE BY APPEARING BEFORE
7 THE SYSTEM ADMINISTRATOR DURING REGULAR OFFICE HOURS EITHER
8 PERSONALLY OR BY AN AUTHORIZED AGENT OR BY MAILING A REQUEST
9 IN WRITING.

10 (2) UPON RECEIPT OF A HEARING REQUEST, THE SYSTEM
11 ADMINISTRATOR SHALL IN A TIMELY MANNER SCHEDULE THE MATTER
12 BEFORE A HEARING OFFICER. THE HEARING OFFICER SHALL BE
13 DESIGNATED BY THE CITY OF THE FIRST CLASS. WRITTEN NOTICE OF
14 THE DATE, TIME AND PLACE OF HEARING MUST BE SENT BY FIRST
15 CLASS MAIL TO THE OWNER.

16 (3) THE HEARING SHALL BE INFORMAL; THE RULES OF EVIDENCE
17 SHALL NOT APPLY; AND THE DECISION OF THE HEARING OFFICER
18 SHALL BE FINAL, SUBJECT TO THE RIGHT OF THE OWNER TO APPEAL
19 THE DECISION TO THE TRAFFIC COURT.

20 (4) IF THE OWNER REQUESTS IN WRITING THAT THE DECISION
21 OF THE HEARING OFFICER BE APPEALED TO THE TRAFFIC COURT, THE
22 SYSTEM ADMINISTRATOR SHALL FILE THE NOTICE OF VIOLATION AND
23 SUPPORTING DOCUMENTS WITH THE TRAFFIC COURT, WHICH SHALL HEAR
24 AND DECIDE THE MATTER DE NOVO.

25 (N) COMPENSATION TO MANUFACTURER OR VENDOR.--IF A CITY OF
26 THE FIRST CLASS HAS ESTABLISHED AN AUTOMATED RED LIGHT
27 ENFORCEMENT SYSTEM DEPLOYED AS A MEANS OF PROMOTING TRAFFIC
28 SAFETY AND THE ENFORCEMENT OF THE TRAFFIC LAWS OF THIS
29 COMMONWEALTH OR THE CITY, THE COMPENSATION PAID TO THE
30 MANUFACTURER OR VENDOR OF THE AUTOMATED RED LIGHT ENFORCEMENT

1 SYSTEM MAY NOT BE BASED UPON THE NUMBER OF TRAFFIC CITATIONS
2 ISSUED OR A PORTION OR PERCENTAGE OF THE FINE GENERATED BY THE
3 CITATIONS. THE COMPENSATION PAID TO THE MANUFACTURER OR VENDOR
4 OF THE EQUIPMENT SHALL BE BASED UPON THE VALUE OF THE EQUIPMENT
5 AND THE SERVICES PROVIDED OR RENDERED IN SUPPORT OF THE
6 AUTOMATED RED LIGHT ENFORCEMENT SYSTEM.

7 (O) DURATION OF YELLOW LIGHT CHANGE INTERVAL.--THE DURATION
8 OF THE YELLOW LIGHT CHANGE INTERVAL AT INTERSECTIONS WHERE
9 AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS ARE IN USE SHALL CONFORM
10 TO THE YELLOW LIGHT CHANGE INTERVAL DURATION SPECIFIED ON THE
11 TRAFFIC SIGNAL PERMIT ISSUED BY THE DEPARTMENT OR THE FIRST
12 CLASS CITY.

13 (P) REVENUE LIMITATION.--A CITY OF THE FIRST CLASS MAY NOT
14 COLLECT AN AMOUNT EQUAL TO OR GREATER THAN 5% OF ITS ANNUAL
15 BUDGET FROM THE COLLECTION OF REVENUE FROM THE ISSUANCE AND
16 PAYMENT OF VIOLATIONS UNDER THIS SECTION.

17 (Q) EXPIRATION.--THIS SECTION SHALL EXPIRE [JUNE 30, 2012]
18 JULY 15, 2017.

19 SECTION 4. TITLE 75 IS AMENDED BY ADDING A SECTION TO READ:
20 § 3117. AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS IN CERTAIN
21 MUNICIPALITIES.

22 (A) GENERAL RULE.--A MUNICIPALITY, UPON PASSAGE OF AN
23 ORDINANCE, IS AUTHORIZED TO ENFORCE SECTION 3112(A) (3) (RELATING
24 TO TRAFFIC-CONTROL SIGNALS) BY RECORDING VIOLATIONS USING AN
25 AUTOMATED RED LIGHT ENFORCEMENT SYSTEM APPROVED BY THE
26 DEPARTMENT.

27 (B) APPLICABILITY.--

28 (1) THIS SECTION SHALL ONLY BE APPLICABLE AT
29 INTERSECTIONS IN A MUNICIPALITY DESIGNATED BY THE
30 MUNICIPALITY WITH THE APPROVAL OF THE SECRETARY UNDER THE

1 REQUIREMENTS OF PARAGRAPH (2).

2 (2) NO AUTOMATED RED LIGHT SYSTEM SHALL BE INSTALLED
3 UNTIL THE MUNICIPALITY PROVIDES NOTICE TO THE DEPARTMENT OF
4 THE LOCATION OF EACH INTERSECTION. AFTER RECEIVING NOTICE AND
5 BEFORE THE SYSTEM MAY BE INSTALLED, THE DEPARTMENT SHALL HAVE
6 60 DAYS TO REVIEW EACH PROPOSED INTERSECTION AND TO ISSUE A
7 RECOMMENDATION TO THE MUNICIPALITY WHICH SHALL INCLUDE ALL OF
8 THE FOLLOWING:

9 (I) A STATEMENT ON WHETHER THE PROPOSED INTERSECTION
10 IS AN APPROPRIATE LOCATION FOR AN AUTOMATED RED LIGHT
11 ENFORCEMENT SYSTEM.

12 (II) THE DATA ON WHICH THE DEPARTMENT BASED THE
13 RECOMMENDATION.

14 (3) NO SYSTEM SHALL BE INSTALLED IF THE DEPARTMENT DOES
15 NOT ISSUE A RECOMMENDATION APPROVING THE LOCATION TO THE
16 MUNICIPALITY.

17 (4) THE DEPARTMENT MAY IDENTIFY THE LOCATION OF AN
18 ALTERNATE INTERSECTION IN THE MUNICIPALITY THAT IT DETERMINES
19 IS APPROPRIATE FOR AN AUTOMATED RED LIGHT ENFORCEMENT SYSTEM.

20 (C) OWNER LIABILITY.--FOR EACH VIOLATION UNDER THIS SECTION,
21 THE OWNER OF THE VEHICLE SHALL BE LIABLE FOR THE PENALTY IMPOSED
22 UNLESS THE OWNER IS CONVICTED OF THE SAME VIOLATION UNDER
23 ANOTHER SECTION OF THIS TITLE OR HAS A DEFENSE UNDER SUBSECTION
24 (G).

25 (D) CERTIFICATE AS EVIDENCE.--A CERTIFICATE, OR A FACSIMILE
26 OF A CERTIFICATE, BASED UPON INSPECTION OF RECORDED IMAGES
27 PRODUCED BY AN AUTOMATED RED LIGHT ENFORCEMENT SYSTEM AND SWORN
28 TO OR AFFIRMED BY A POLICE OFFICER EMPLOYED BY THE MUNICIPALITY
29 SHALL BE PRIMA FACIE EVIDENCE OF THE FACTS CONTAINED IN IT. THE
30 MUNICIPALITY MUST INCLUDE A WRITTEN STATEMENT THAT THE AUTOMATED

1 RED LIGHT ENFORCEMENT SYSTEM WAS OPERATING CORRECTLY AT THE TIME
2 OF THE ALLEGED VIOLATION. A RECORDED IMAGE EVIDENCING A
3 VIOLATION OF SECTION 3112(A) (3) SHALL BE ADMISSIBLE IN ANY
4 JUDICIAL OR ADMINISTRATIVE PROCEEDING TO ADJUDICATE THE
5 LIABILITY FOR THE VIOLATION.

6 (E) PENALTY.--

7 (1) THE PENALTY FOR A VIOLATION UNDER SUBSECTION (A)
8 SHALL BE A FINE OF \$100 UNLESS A LESSER AMOUNT IS SET BY
9 ORDINANCE.

10 (2) A FINE IS NOT AUTHORIZED FOR A VIOLATION OF THIS
11 SECTION IF ANY OF THE FOLLOWING APPLY:

12 (I) THE INTERSECTION IS BEING MANUALLY CONTROLLED.

13 (II) THE SIGNAL IS IN THE MODE DESCRIBED IN SECTION
14 3114 (RELATING TO FLASHING SIGNALS).

15 (3) A FINE IS NOT AUTHORIZED DURING ANY OF THE
16 FOLLOWING:

17 (I) THE FIRST 60 DAYS OF OPERATION OF THE AUTOMATED
18 SYSTEM AT THE INITIAL INTERSECTION.

19 (II) THE FIRST 30 DAYS FOR EACH ADDITIONAL
20 INTERSECTION SELECTED FOR THE AUTOMATED SYSTEM.

21 (4) A WARNING MAY BE SENT TO THE VIOLATOR UNDER
22 PARAGRAPH (3).

23 (5) A PENALTY IMPOSED UNDER THIS SECTION SHALL NOT BE
24 DEEMED A CRIMINAL CONVICTION AND SHALL NOT BE MADE PART OF
25 THE OPERATING RECORD UNDER SECTION 1535 (RELATING TO SCHEDULE
26 OF CONVICTIONS AND POINTS) OF THE INDIVIDUAL UPON WHOM THE
27 PENALTY IS IMPOSED, NOR MAY THE IMPOSITION OF THE PENALTY BE
28 SUBJECT TO MERIT RATING FOR INSURANCE PURPOSES.

29 (6) NO SURCHARGE POINTS MAY BE IMPOSED IN THE PROVISION
30 OF MOTOR VEHICLE INSURANCE COVERAGE. FINES COLLECTED UNDER

1 THIS SECTION SHALL NOT BE SUBJECT TO 42 PA.C.S. § 3571
2 (RELATING TO COMMONWEALTH PORTION OF FINES, ETC.) OR 3573
3 (RELATING TO MUNICIPAL CORPORATION PORTION OF FINES, ETC.).

4 (F) LIMITATIONS.--

5 (1) NO AUTOMATED RED LIGHT ENFORCEMENT SYSTEM SHALL BE
6 UTILIZED IN SUCH A MANNER AS TO TAKE A FRONTAL VIEW RECORDED
7 IMAGE OF THE VEHICLE AS EVIDENCE OF HAVING COMMITTED A
8 VIOLATION.

9 (2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, CAMERA
10 EQUIPMENT DEPLOYED AS PART OF AN AUTOMATED RED LIGHT
11 ENFORCEMENT SYSTEM AS PROVIDED UNDER THIS SECTION MUST BE
12 INCAPABLE OF AUTOMATED OR USER-CONTROLLED REMOTE INTERSECTION
13 SURVEILLANCE BY MEANS OF RECORDED VIDEO IMAGES. RECORDED
14 IMAGES COLLECTED AS PART OF THE AUTOMATED RED LIGHT
15 ENFORCEMENT SYSTEM MAY ONLY RECORD TRAFFIC VIOLATIONS AND MAY
16 NOT BE USED FOR ANY OTHER SURVEILLANCE PURPOSES. THE
17 RESTRICTIONS SET FORTH UNDER THIS PARAGRAPH SHALL NOT BE
18 DEEMED TO PRECLUDE A COURT OF COMPETENT JURISDICTION FROM
19 ISSUING AN ORDER DIRECTING THAT THE INFORMATION BE PROVIDED
20 TO LAW ENFORCEMENT OFFICIALS IF THE INFORMATION IS REASONABLY
21 DESCRIBED AND IS REQUESTED SOLELY IN CONNECTION WITH A
22 CRIMINAL LAW ENFORCEMENT ACTION.

23 (3) NOTWITHSTANDING ANY OTHER PROVISION OF LAW,
24 INFORMATION PREPARED UNDER THIS SECTION AND INFORMATION
25 RELATING TO VIOLATIONS UNDER THIS SECTION WHICH IS KEPT BY
26 THE MUNICIPALITY, ITS AUTHORIZED AGENTS OR EMPLOYEES,
27 INCLUDING RECORDED IMAGES, WRITTEN RECORDS, REPORTS OR
28 FACSIMILES, NAMES AND ADDRESSES, SHALL BE FOR THE EXCLUSIVE
29 USE OF THE MUNICIPALITY, ITS AUTHORIZED AGENTS, ITS EMPLOYEES
30 AND LAW ENFORCEMENT OFFICIALS FOR THE PURPOSE OF DISCHARGING

1 THEIR DUTIES UNDER THIS SECTION AND UNDER ANY ORDINANCES AND
2 RESOLUTIONS OF THE MUNICIPALITY. THE INFORMATION SHALL NOT BE
3 DEEMED A PUBLIC RECORD UNDER THE ACT OF FEBRUARY 14, 2008
4 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW. THE
5 INFORMATION SHALL NOT BE DISCOVERABLE BY COURT ORDER OR
6 OTHERWISE, NOR SHALL IT BE OFFERED IN EVIDENCE IN ANY ACTION
7 OR PROCEEDING WHICH IS NOT DIRECTLY RELATED TO A VIOLATION OF
8 THIS SECTION OR ANY ORDINANCE OR RESOLUTION OF THE
9 MUNICIPALITY. THE RESTRICTIONS SET FORTH UNDER THIS PARAGRAPH
10 SHALL NOT BE DEEMED TO PRECLUDE A COURT OF COMPETENT
11 JURISDICTION FROM ISSUING AN ORDER DIRECTING THAT THE
12 INFORMATION BE PROVIDED TO LAW ENFORCEMENT OFFICIALS IF THE
13 INFORMATION IS REASONABLY DESCRIBED AND IS REQUESTED SOLELY
14 IN CONNECTION WITH A CRIMINAL LAW ENFORCEMENT ACTION.

15 (4) RECORDED IMAGES OBTAINED THROUGH THE USE OF
16 AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS DEPLOYED AS A MEANS
17 OF PROMOTING TRAFFIC SAFETY IN A MUNICIPALITY SHALL BE
18 DESTROYED WITHIN 30 DAYS FOLLOWING THE FINAL DISPOSITION OF
19 ANY RECORDED EVENT. THE MUNICIPALITY SHALL FILE NOTICE WITH
20 THE DEPARTMENT OF STATE THAT THE RECORDS HAVE BEEN DESTROYED
21 IN ACCORDANCE WITH THIS SECTION.

22 (5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW,
23 REGISTERED VEHICLE OWNER INFORMATION OBTAINED AS A RESULT OF
24 THE OPERATION OF AN AUTOMATED RED LIGHT ENFORCEMENT SYSTEM
25 UNDER THIS SECTION SHALL NOT BE THE PROPERTY OF THE
26 MANUFACTURER OR VENDOR OF THE AUTOMATED RED LIGHT ENFORCEMENT
27 SYSTEM AND MAY NOT BE USED FOR ANY PURPOSE OTHER THAN
28 PRESCRIBED IN THIS SECTION.

29 (G) DEFENSES.--

30 (1) IT SHALL BE A DEFENSE TO A VIOLATION UNDER THIS

1 SECTION THAT THE PERSON NAMED IN THE NOTICE OF THE VIOLATION
2 WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION.
3 THE OWNER MAY BE REQUIRED TO SUBMIT EVIDENCE THAT THE OWNER
4 WAS NOT THE DRIVER AT THE TIME OF THE ALLEGED VIOLATION. THE
5 MUNICIPALITY MAY NOT REQUIRE THE OWNER OF THE VEHICLE TO
6 DISCLOSE THE IDENTITY OF THE OPERATOR OF THE VEHICLE AT THE
7 TIME OF THE VIOLATION.

8 (2) IF AN OWNER RECEIVES A NOTICE OF VIOLATION UNDER
9 THIS SECTION OF A TIME PERIOD DURING WHICH THE VEHICLE WAS
10 REPORTED TO A POLICE DEPARTMENT OF ANY STATE OR MUNICIPALITY
11 AS HAVING BEEN STOLEN, IT SHALL BE A DEFENSE TO A VIOLATION
12 UNDER THIS SECTION THAT THE VEHICLE HAS BEEN REPORTED TO A
13 POLICE DEPARTMENT AS STOLEN PRIOR TO THE TIME THE VIOLATION
14 OCCURRED AND HAD NOT BEEN RECOVERED PRIOR TO THAT TIME.

15 (3) IT SHALL BE A DEFENSE TO A VIOLATION UNDER THIS
16 SECTION THAT THE PERSON RECEIVING THE NOTICE OF VIOLATION WAS
17 NOT THE OWNER OR LESSOR OF THE VEHICLE AT THE TIME OF THE
18 OFFENSE.

19 (H) DEPARTMENT APPROVAL.--NO AUTOMATED RED LIGHT ENFORCEMENT
20 SYSTEM MAY BE USED WITHOUT THE APPROVAL OF THE DEPARTMENT, WHICH
21 SHALL HAVE THE AUTHORITY TO PROMULGATE REGULATIONS FOR THE
22 CERTIFICATION AND USE OF SUCH SYSTEMS.

23 (I) DUTY OF MUNICIPALITY.--IF A MUNICIPALITY ELECTS TO
24 IMPLEMENT THIS SECTION, THE FOLLOWING PROVISIONS SHALL APPLY:

25 (1) THE MUNICIPALITY MAY NOT USE AN AUTOMATED RED LIGHT
26 ENFORCEMENT SYSTEM UNLESS AN APPROPRIATE SIGN IS POSTED IN A
27 CONSPICUOUS PLACE BEFORE THE AREA IN WHICH THE AUTOMATED RED
28 LIGHT ENFORCEMENT DEVICE IS TO BE USED NOTIFYING THE PUBLIC
29 THAT AN AUTOMATED RED LIGHT ENFORCEMENT DEVICE IS IN USE
30 IMMEDIATELY AHEAD.

1 (2) THE MUNICIPALITY OR ITS DESIGNEE SHALL SERVE AS THE
2 SYSTEM ADMINISTRATOR TO SUPERVISE AND COORDINATE THE
3 ADMINISTRATION OF NOTICES OF VIOLATIONS ISSUED UNDER THIS
4 SECTION.

5 (3) THE FOLLOWING APPLY:

6 (I) THE SYSTEM ADMINISTRATOR SHALL PREPARE A NOTICE
7 OF VIOLATION TO THE REGISTERED OWNER OF A VEHICLE
8 IDENTIFIED IN A RECORDED IMAGE PRODUCED BY AN AUTOMATED
9 RED LIGHT ENFORCEMENT SYSTEM AS EVIDENCE OF A VIOLATION
10 OF SECTION 3112(A) (3). THE ISSUANCE OF THE NOTICE OF
11 VIOLATION MUST BE DONE BY A POLICE OFFICER EMPLOYED BY
12 THE POLICE DEPARTMENT WITH PRIMARY JURISDICTION OVER THE
13 AREA WHERE THE VIOLATION OCCURRED. THE NOTICE OF
14 VIOLATION MUST HAVE ATTACHED TO IT ALL OF THE FOLLOWING:

15 (A) A COPY OF THE RECORDED IMAGE SHOWING THE
16 VEHICLE.

17 (B) THE REGISTRATION NUMBER AND STATE OF
18 ISSUANCE OF THE VEHICLE REGISTRATION.

19 (C) THE DATE, TIME AND PLACE OF THE ALLEGED
20 VIOLATION.

21 (D) NOTICE THAT THE VIOLATION CHARGED IS UNDER
22 SECTION 3112(A) (3).

23 (E) INSTRUCTIONS FOR RETURN OF THE NOTICE OF
24 VIOLATION.

25 (II) THE TEXT OF THE NOTICE MUST BE AS FOLLOWS:

26 THIS NOTICE SHALL BE RETURNED PERSONALLY, BY MAIL
27 OR BY AN AGENT DULY AUTHORIZED IN WRITING, WITHIN
28 30 DAYS OF ISSUANCE. A HEARING MAY BE OBTAINED
29 UPON THE WRITTEN REQUEST OF THE REGISTERED OWNER.

30 (J) SYSTEM ADMINISTRATOR.--

1 (1) THE SYSTEM ADMINISTRATOR MAY HIRE AND DESIGNATE
2 PERSONNEL AS NECESSARY OR CONTRACT FOR SERVICES TO IMPLEMENT
3 THIS SECTION.

4 (2) THE SYSTEM ADMINISTRATOR SHALL PROCESS FINES ISSUED
5 UNDER THIS SECTION.

6 (3) THE SYSTEM ADMINISTRATOR SHALL SUBMIT AN ANNUAL
7 REPORT TO THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
8 TRANSPORTATION COMMITTEE OF THE SENATE AND THE CHAIRMAN AND
9 MINORITY CHAIRMAN OF THE TRANSPORTATION COMMITTEE OF THE
10 HOUSE OF REPRESENTATIVES. THE REPORT SHALL BE CONSIDERED A
11 PUBLIC RECORD UNDER THE ACT OF FEBRUARY 14, 2008 (P.L.6,
12 NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW, AND INCLUDE FOR THE
13 PRIOR YEAR:

14 (I) THE NUMBER OF VIOLATIONS AND FINES ISSUED.

15 (II) A COMPILATION OF FINES PAID AND OUTSTANDING.

16 (III) THE AMOUNT OF MONEY PAID TO A VENDOR OR
17 MANUFACTURER UNDER THIS SECTION.

18 (K) NOTICE TO OWNER.--IN THE CASE OF A VIOLATION INVOLVING A
19 MOTOR VEHICLE REGISTERED UNDER THE LAWS OF THIS COMMONWEALTH,
20 THE NOTICE OF VIOLATION MUST BE MAILED WITHIN 30 DAYS AFTER THE
21 COMMISSION OF THE VIOLATION OR WITHIN 30 DAYS AFTER THE
22 DISCOVERY OF THE IDENTITY OF THE REGISTERED OWNER, WHICHEVER IS
23 LATER, TO THE ADDRESS OF THE REGISTERED OWNER AS LISTED IN THE
24 RECORDS OF THE DEPARTMENT. IN THE CASE OF MOTOR VEHICLES
25 REGISTERED IN JURISDICTIONS OTHER THAN THIS COMMONWEALTH, THE
26 NOTICE OF VIOLATION MUST BE MAILED WITHIN 30 DAYS AFTER THE
27 DISCOVERY OF THE IDENTITY OF THE REGISTERED OWNER TO THE ADDRESS
28 OF THE REGISTERED OWNER AS LISTED IN THE RECORDS OF THE OFFICIAL
29 IN THE JURISDICTION HAVING CHARGE OF THE REGISTRATION OF THE
30 VEHICLE. A NOTICE OF VIOLATION UNDER THIS SECTION MUST BE

1 PROVIDED TO AN OWNER WITHIN 90 DAYS OF THE COMMISSION OF THE
2 OFFENSE.

3 (L) MAILING OF NOTICE AND RECORDS.--NOTICE OF VIOLATION MUST
4 BE SENT BY FIRST CLASS MAIL. A MANUAL OR AUTOMATIC RECORD OF
5 MAILING PREPARED BY THE SYSTEM ADMINISTRATOR IN THE ORDINARY
6 COURSE OF BUSINESS SHALL BE PRIMA FACIE EVIDENCE OF MAILING AND
7 SHALL BE ADMISSIBLE IN ANY JUDICIAL OR ADMINISTRATIVE PROCEEDING
8 AS TO THE FACTS CONTAINED IN IT.

9 (M) PAYMENT OF FINE.--

10 (1) AN OWNER TO WHOM A NOTICE OF VIOLATION HAS BEEN
11 ISSUED MAY ADMIT RESPONSIBILITY FOR THE VIOLATION AND PAY THE
12 FINE PROVIDED IN THE NOTICE.

13 (2) EXCEPT AS PROVIDED IN PARAGRAPH (2.1), PAYMENT MUST
14 BE MADE PERSONALLY, THROUGH AN AUTHORIZED AGENT,
15 ELECTRONICALLY OR BY MAILING BOTH PAYMENT AND THE NOTICE OF
16 VIOLATION TO THE SYSTEM ADMINISTRATOR. PAYMENT BY MAIL MUST
17 BE MADE ONLY BY MONEY ORDER, CREDIT CARD OR CHECK MADE
18 PAYABLE TO THE SYSTEM ADMINISTRATOR. THE SYSTEM ADMINISTRATOR
19 SHALL REMIT THE FINE, LESS THE SYSTEM ADMINISTRATOR'S
20 OPERATION AND MAINTENANCE COSTS NECESSITATED UNDER THIS
21 SECTION, TO THE DEPARTMENT FOR DEPOSIT INTO A RESTRICTED
22 RECEIPTS ACCOUNT IN THE MOTOR LICENSE FUND. FINES DEPOSITED
23 IN THE FUND UNDER THIS PARAGRAPH SHALL BE USED BY THE
24 DEPARTMENT FOR A TRANSPORTATION ENHANCEMENTS GRANT PROGRAM.
25 THE DEPARTMENT SHALL AWARD TRANSPORTATION ENHANCEMENT GRANTS
26 ON A COMPETITIVE BASIS SUBJECT TO A SELECTION COMMITTEE
27 ESTABLISHED BY THE SECRETARY. THE DEPARTMENT MAY PAY ANY
28 ACTUAL ADMINISTRATIVE COSTS ARISING FROM ITS ADMINISTRATION
29 OF THIS SECTION. THE DEPARTMENT MAY NOT RESERVE, DESIGNATE OR
30 SET ASIDE ANY SPECIFIC LEVEL OF FUNDS OR PERCENTAGE OF FUNDS

1 TO AN APPLICANT PRIOR TO THE COMPLETION OF THE APPLICATION
2 PROCESS, NOR MAY THE DEPARTMENT DESIGNATE A SET PERCENTAGE OF
3 FUNDS TO AN APPLICANT. PRIORITY SHALL BE GIVEN TO
4 APPLICATIONS SEEKING GRANT FUNDS FOR TRANSPORTATION
5 ENHANCEMENTS IN THE MUNICIPALITY WHERE THE AUTOMATED RED
6 LIGHT CAMERA SYSTEM IS OPERATED.

7 (2.1) IN A CITY OF THE SECOND CLASS, PAYMENT MUST BE
8 MADE PERSONALLY, THROUGH AN AUTHORIZED AGENT, ELECTRONICALLY
9 OR BY MAILING BOTH PAYMENT AND THE NOTICE OF VIOLATION TO THE
10 SYSTEM ADMINISTRATOR. PAYMENT BY MAIL MUST BE MADE ONLY BY
11 MONEY ORDER, CREDIT CARD OR CHECK PAYABLE TO THE SYSTEM
12 ADMINISTRATOR. THE SYSTEM ADMINISTRATOR SHALL REMIT THE FINE,
13 LESS THE SYSTEM'S OPERATION AND MAINTENANCE COSTS
14 NECESSITATED UNDER THIS SECTION, TO THE DEPARTMENT FOR
15 DEPOSIT INTO A RESTRICTED RECEIPTS ACCOUNT IN THE MOTOR
16 LICENSE FUND. FINES DEPOSITED IN THE FUND UNDER THIS
17 PARAGRAPH SHALL BE USED BY THE DEPARTMENT FOR A
18 TRANSPORTATION ENHANCEMENT GRANTS PROGRAM. THE DEPARTMENT
19 SHALL AWARD TRANSPORTATION ENHANCEMENT GRANTS ON A
20 COMPETITIVE BASIS. THE DEPARTMENT MAY PAY ANY ACTUAL
21 ADMINISTRATIVE COSTS ARISING FROM ITS ADMINISTRATION OF THIS
22 SECTION. THE DEPARTMENT MAY NOT RESERVE, DESIGNATE OR SET
23 ASIDE ANY SPECIFIC LEVEL OF FUNDS OR PERCENTAGE OF FUNDS TO
24 AN APPLICANT PRIOR TO THE COMPLETION OF THE APPLICATION
25 PROCESS, NOR MAY THE DEPARTMENT DESIGNATE A SET PERCENTAGE OF
26 FUNDS TO AN APPLICANT. GRANTS SHALL BE AWARDED BY THE
27 DEPARTMENT BASED ON THE MAJORITY VOTE OF A SELECTION
28 COMMITTEE CONSISTING OF FOUR REPRESENTATIVES OF THE
29 DEPARTMENT APPOINTED BY THE SECRETARY AND FOUR MEMBERS
30 APPOINTED BY THE MAYOR OF THE CITY OF THE SECOND CLASS, WITH

1 THE SECRETARY OR HIS DESIGNEE SERVING AS CHAIRMAN. PRIORITY
2 SHALL BE GIVEN TO APPLICATIONS SEEKING GRANT FUNDS FOR
3 TRANSPORTATION ENHANCEMENTS IN THE MUNICIPALITY WHERE THE
4 AUTOMATED RED LIGHT CAMERA SYSTEM IS OPERATED.

5 (3) PAYMENT OF THE ESTABLISHED FINE AND APPLICABLE
6 PENALTIES SHALL OPERATE AS A FINAL DISPOSITION OF THE CASE.

7 (N) HEARING.--

8 (1) AN OWNER TO WHOM A NOTICE OF VIOLATION HAS BEEN
9 ISSUED MAY, WITHIN 30 DAYS OF THE MAILING OF THE NOTICE,
10 REQUEST A HEARING TO CONTEST THE LIABILITY ALLEGED IN THE
11 NOTICE. A HEARING REQUEST MUST BE MADE BY APPEARING BEFORE
12 THE SYSTEM ADMINISTRATOR DURING REGULAR OFFICE HOURS EITHER
13 PERSONALLY OR BY AN AUTHORIZED AGENT OR BY MAILING A REQUEST
14 IN WRITING.

15 (2) UPON RECEIPT OF A HEARING REQUEST, THE SYSTEM
16 ADMINISTRATOR SHALL IN A TIMELY MANNER SCHEDULE THE MATTER
17 BEFORE A HEARING OFFICER. THE HEARING OFFICER SHALL BE
18 DESIGNATED BY THE MUNICIPALITY. WRITTEN NOTICE OF THE DATE,
19 TIME AND PLACE OF HEARING MUST BE SENT BY FIRST CLASS MAIL TO
20 THE OWNER.

21 (3) THE HEARING SHALL BE INFORMAL; THE RULES OF EVIDENCE
22 SHALL NOT APPLY; AND THE DECISION OF THE HEARING OFFICER
23 SHALL BE FINAL, SUBJECT TO THE RIGHT OF THE OWNER TO APPEAL
24 THE DECISION TO THE MAGISTERIAL DISTRICT JUDGE.

25 (4) IF THE OWNER REQUESTS IN WRITING THAT THE DECISION
26 OF THE HEARING OFFICER BE APPEALED TO THE MAGISTERIAL
27 DISTRICT JUDGE, THE SYSTEM ADMINISTRATOR SHALL FILE THE
28 NOTICE OF VIOLATION AND SUPPORTING DOCUMENTS WITH THE
29 MAGISTERIAL DISTRICT JUDGE, WHO SHALL HEAR AND DECIDE THE
30 MATTER DE NOVO.

1 (O) COMPENSATION TO MANUFACTURER OR VENDOR.--IF A
2 MUNICIPALITY HAS ESTABLISHED AN AUTOMATED RED LIGHT ENFORCEMENT
3 SYSTEM DEPLOYED AS A MEANS OF PROMOTING TRAFFIC SAFETY AND THE
4 ENFORCEMENT OF THE TRAFFIC LAWS OF THIS COMMONWEALTH OR THE
5 MUNICIPALITY, THE COMPENSATION PAID TO THE MANUFACTURER OR
6 VENDOR OF THE AUTOMATED RED LIGHT ENFORCEMENT SYSTEM MAY NOT BE
7 BASED UPON THE NUMBER OF TRAFFIC CITATIONS ISSUED OR A PORTION
8 OR PERCENTAGE OF THE FINE GENERATED BY THE CITATIONS. THE
9 COMPENSATION PAID TO THE MANUFACTURER OR VENDOR OF THE EQUIPMENT
10 SHALL BE BASED UPON THE VALUE OF THE EQUIPMENT AND THE SERVICES
11 PROVIDED OR RENDERED IN SUPPORT OF THE AUTOMATED RED LIGHT
12 ENFORCEMENT SYSTEM.

13 (P) DURATION OF YELLOW LIGHT CHANGE INTERVAL.--THE DURATION
14 OF THE YELLOW LIGHT CHANGE INTERVAL AT INTERSECTIONS WHERE
15 AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS ARE IN USE SHALL CONFORM
16 TO THE YELLOW LIGHT CHANGE INTERVAL DURATION SPECIFIED ON THE
17 TRAFFIC SIGNAL PERMIT ISSUED BY THE DEPARTMENT OR MUNICIPALITY.

18 (Q) REVENUE LIMIT.--A MUNICIPALITY MAY NOT COLLECT AN AMOUNT
19 EQUAL TO OR GREATER THAN 5% OF ITS ANNUAL BUDGET FROM THE
20 COLLECTION OF REVENUE FROM THE ISSUANCE AND PAYMENT OF
21 VIOLATIONS UNDER THIS SECTION.

22 (R) EXPIRATION.--THIS SECTION SHALL EXPIRE JULY 15, 2017.

23 (S) DEFINITIONS.--AS USED IN THIS SECTION:

24 (1) THE TERM "DESIGNEE" SHALL INCLUDE A PERSON, BUSINESS
25 ENTITY OR GOVERNMENTAL ENTITY, INCLUDING THE DEPARTMENT.

26 (2) THE TERM "MUNICIPALITY" MEANS:

27 (I) A CITY, BOROUGH OR TOWNSHIP WITH A POPULATION
28 UNDER THE 2010 FEDERAL DECENNIAL CENSUS EXCEEDING 20,000
29 WITH A POLICE AGENCY ACCREDITED BY THE PENNSYLVANIA
30 CHIEFS OF POLICE ASSOCIATION IN A COUNTY OF THE SECOND

1 CLASS A.

2 (II) A CITY, BOROUGH OR TOWNSHIP WITH A POPULATION
3 UNDER THE 2010 FEDERAL DECENNIAL CENSUS EXCEEDING 20,000
4 WITH A POLICE AGENCY ACCREDITED BY THE PENNSYLVANIA
5 CHIEFS OF POLICE ASSOCIATION IN A COUNTY OF THE THIRD
6 CLASS WITH A POPULATION BETWEEN 490,000 AND 510,000.

7 (III) A CITY OF THE SECOND CLASS.

8 SECTION 5. SECTION 6109(A) (1), (F) AND (H) OF TITLE 75 ARE
9 AMENDED AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO
10 READ:

11 § 6109. SPECIFIC POWERS OF DEPARTMENT AND LOCAL AUTHORITIES.

12 (A) ENUMERATION OF POLICE POWERS.--THE PROVISIONS OF THIS
13 TITLE SHALL NOT BE DEEMED TO PREVENT THE DEPARTMENT ON STATE-
14 DESIGNATED HIGHWAYS AND LOCAL AUTHORITIES ON STREETS OR HIGHWAYS
15 WITHIN THEIR PHYSICAL BOUNDARIES FROM THE REASONABLE EXERCISE OF
16 THEIR POLICE POWERS. THE FOLLOWING ARE PRESUMED TO BE REASONABLE
17 EXERCISES OF POLICE POWER:

18 (1) EXCEPT AS LIMITED BY [SUBSECTION] SUBSECTIONS (G)
19 AND (H), REGULATING OR PROHIBITING STOPPING, STANDING OR
20 PARKING.

21 * * *

22 (F) DELEGATION OF POWERS AUTHORIZED.--EXCEPT AS SET FORTH IN
23 [SUBSECTION] SUBSECTIONS (G) AND (H), NOTHING CONTAINED IN THIS
24 SECTION SHALL BE DEEMED TO PREVENT LOCAL AUTHORITIES BY
25 ORDINANCE OR RESOLUTION OF THE LOCAL GOVERNING BODY FROM
26 DELEGATING THEIR POWERS UNDER SUBSECTION (A) (1) OR (22) TO A
27 PARKING AUTHORITY ESTABLISHED PURSUANT TO 53 PA.C.S. CH. 55
28 (RELATING TO PARKING AUTHORITIES).

29 (G) DELEGATION OF POWERS IN CITIES OF THE FIRST CLASS.--

30 (1) NOTWITHSTANDING ANY CONTRARY PROVISION OF 53 PA.C.S.

1 CH. 55 OR THIS TITLE, BEGINNING ON MARCH 31, 2014, THE
2 PARKING AUTHORITY OF A CITY OF THE FIRST CLASS SHALL ENFORCE
3 AND ADMINISTER THE SYSTEM OF ON-STREET PARKING REGULATION IN
4 A CITY OF THE FIRST CLASS ON BEHALF OF THE CITY. THE SYSTEM
5 OF ON-STREET PARKING REGULATION SHALL INCLUDE ALL ORDINANCES
6 AND RESOLUTIONS ENACTED OR ADOPTED BY THE CITY OF THE FIRST
7 CLASS PURSUANT TO THE POWERS SPECIFIED UNDER SUBSECTION (A)
8 (1) AND THOSE CERTAIN STOPPING, STANDING AND PARKING
9 PROVISIONS PROVIDED IN SECTIONS 3351 (RELATING TO STOPPING,
10 STANDING AND PARKING OUTSIDE BUSINESS AND RESIDENCE
11 DISTRICTS), 3353 (RELATING TO PROHIBITIONS IN SPECIFIED
12 PLACES) AND 3354 (RELATING TO ADDITIONAL PARKING
13 REGULATIONS).

14 (2) ANY REVENUES GENERATED PURSUANT TO THE SYSTEM OF ON-
15 STREET PARKING REGULATION AUTHORIZED BY THIS SUBSECTION SHALL
16 BE COLLECTED BY THE AUTHORITY ON BEHALF OF THE CITY OF THE
17 FIRST CLASS AND DISBURSED AS PROVIDED IN THIS PARAGRAPH,
18 SUBJECT TO ADJUSTMENT UNDER PARAGRAPH (3). BEGINNING WITH ITS
19 FISCAL YEAR ENDING IN 2015, UPON THE CONCLUSION OF EACH OF
20 ITS FISCAL YEARS, THE AUTHORITY SHALL TRANSFER THE REVENUES
21 OF THE SYSTEM OF ON-STREET PARKING REGULATION NET OF THE
22 OPERATING AND ADMINISTRATIVE EXPENSES OF THE SYSTEM OF ON-
23 STREET PARKING REGULATION AS FOLLOWS:

24 (I) UP TO \$35,000,000 IN THE AGGREGATE AFTER TAKING
25 INTO ACCOUNT ANY MONTHLY REMITTANCES TO THE CITY IN WHICH
26 IT IS LOCATED.

27 (II) IN THE EVENT THE NET ANNUAL REVENUE OF THE
28 SYSTEM OF ON-STREET PARKING REGULATION EXCEEDS
29 \$35,000,000, THE AUTHORITY SHALL TRANSFER ALL OF THE
30 EXCESS TO THE GENERAL FUND OF A SCHOOL DISTRICT OF THE

1 FIRST CLASS COTERMINOUS WITH THE CITY.

2 (3) THE AMOUNT SET FORTH IN PARAGRAPH (2) (I) SHALL BE
3 ADJUSTED EACH FISCAL YEAR BEGINNING WITH THE FISCAL YEAR
4 ENDING IN 2014 BY INCREASING THE \$35,000,000 AGGREGATE AMOUNT
5 BY AN AMOUNT EQUAL TO \$35,000,000 MULTIPLIED BY THE
6 PERCENTAGE INCREASE, IF ANY, IN THE GROSS REVENUE GENERATED
7 BY THE SYSTEM OF ON-STREET PARKING REGULATION. NO ADJUSTMENT
8 SHALL BE MADE IF THE GROSS REVENUE GENERATED BY THE SYSTEM OF
9 ON-STREET PARKING REGULATION DID NOT INCREASE OVER THE PRIOR
10 FISCAL YEAR.

11 (4) THE PROVISIONS OF SECTION 696(H) (1) OF THE ACT OF
12 MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL
13 CODE OF 1949, SHALL NOT APPLY TO AMOUNTS TRANSFERRED TO A
14 SCHOOL DISTRICT OF THE FIRST CLASS UNDER THIS SUBSECTION. ANY
15 PORTION OF THE EXCESS NET REVENUE OF THE SYSTEM OF ON-STREET
16 PARKING REGULATION NOT TRANSFERRED TO A SCHOOL DISTRICT OF
17 THE FIRST CLASS MUST BE TRANSFERRED TO THE CITY OF THE FIRST
18 CLASS IN WHICH THE AUTHORITY IS LOCATED.

19 (5) AS USED IN THIS SUBSECTION, THE FOLLOWING WORDS AND
20 PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
21 PARAGRAPH:

22 "ADMINISTER." TO PROVIDE ANY SERVICES OR MATERIALS
23 NECESSARY TO ENFORCE ANY ORDINANCE OR RESOLUTION ENACTED IN
24 ORDER TO REGULATE OR PROHIBIT THE STOPPING, STANDING OR
25 PARKING OF MOTOR VEHICLES IN A CITY OF THE FIRST CLASS OR
26 THOSE CERTAIN STOPPING, STANDING AND PARKING PROVISIONS
27 PROVIDED IN SECTIONS 3351, 3353 AND 3354, INCLUDING, BUT NOT
28 LIMITED TO:

29 (I) THE INSTALLATION AND MAINTENANCE OF ALL
30 EQUIPMENT, INCLUDING PARKING METERS, ON AND ALONG

1 HIGHWAYS, STREETS AND ROADWAYS.

2 (II) THE INSTALLATION AND MAINTENANCE OF ALL
3 SIGNAGE, INCLUDING SIGNAGE FOR HANDICAPPED PARKING,
4 RESIDENTIAL PERMIT PARKING AND LOADING AREAS, ON AND
5 ALONG HIGHWAYS, STREETS AND ROADWAYS.

6 (III) THE OPERATION AND MANAGEMENT OF ANY
7 HANDICAPPED PARKING, RESIDENTIAL PARKING AND LOADING AREA
8 PERMIT PROGRAMS.

9 "ENFORCE." THE ISSUANCE OF PARKING VIOLATION NOTICES OR
10 CITATIONS, THE IMMOBILIZATION, TOWING AND IMPOUNDMENT OF
11 MOTOR VEHICLES AND THE COLLECTION OF FINES, PENALTIES, COSTS
12 AND FEES, INCLUDING INDEPENDENT COLLECTION AGENCY FEES, FOR
13 VIOLATIONS OF ANY ORDINANCE OR RESOLUTION ENACTED IN ORDER TO
14 REGULATE OR PROHIBIT THE STOPPING, STANDING OR PARKING OF
15 MOTOR VEHICLES IN A CITY OF THE FIRST CLASS AND THOSE CERTAIN
16 STOPPING, STANDING AND PARKING PROVISIONS PROVIDED IN THIS
17 SECTION AND SECTIONS 3351, 3353 AND 3354.

18 (H) DELEGATION OF POWERS IN CITIES OF THE SECOND CLASS.--

19 (1) NOTWITHSTANDING ANY CONTRARY PROVISION OF 53 P.A.C.S.
20 CH. 55 OR THIS TITLE, BEGINNING ON JANUARY 1, 2005, THE
21 PARKING AUTHORITY OF A CITY OF THE SECOND CLASS SHALL ENFORCE
22 AND ADMINISTER ALL ORDINANCES AND RESOLUTIONS ENACTED OR
23 ADOPTED BY THE CITY OF THE SECOND CLASS PURSUANT TO THE
24 POWERS SPECIFIED UNDER SUBSECTION (A) (1) AND THOSE CERTAIN
25 STOPPING, STANDING AND PARKING PROVISIONS PROVIDED IN
26 SECTIONS 3351 (RELATING TO STOPPING, STANDING AND PARKING
27 OUTSIDE [OF] BUSINESS AND RESIDENCE DISTRICTS), 3353
28 (RELATING TO PROHIBITIONS IN SPECIFIED PLACES) AND 3354
29 (RELATING TO ADDITIONAL PARKING REGULATIONS).

30 (2) BEGINNING ON MARCH 1, 2005, THE PARKING AUTHORITY OF

1 A CITY OF THE SECOND CLASS SHALL ENTER INTO AN AGREEMENT WITH
2 THE CITY OF THE SECOND CLASS FOR THE TRANSFER OF A PORTION OF
3 THE FINES, PENALTIES AND COSTS COLLECTED PURSUANT TO THIS
4 SUBSECTION, WHICH THE PARKING AUTHORITY BOARD DEEMS
5 REASONABLE, TO THE CITY OF THE SECOND CLASS.

6 (3) AS USED IN THIS SUBSECTION, THE FOLLOWING WORDS AND
7 PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
8 PARAGRAPH:

9 "ADMINISTER." TO PROVIDE ANY SERVICES OR MATERIALS
10 NECESSARY TO ENFORCE ANY ORDINANCE OR RESOLUTION ENACTED IN
11 ORDER TO REGULATE OR PROHIBIT THE STOPPING, STANDING OR
12 PARKING OF MOTOR VEHICLES IN A CITY OF THE SECOND CLASS OR
13 THOSE CERTAIN STOPPING, STANDING AND PARKING PROVISIONS
14 PROVIDED IN SECTIONS 3351, 3353 AND 3354, INCLUDING, BUT NOT
15 LIMITED TO:

16 (I) THE INSTALLATION AND MAINTENANCE OF ALL
17 EQUIPMENT, INCLUDING PARKING METERS, ON AND ALONG
18 HIGHWAYS, STREETS AND ROADWAYS.

19 (II) THE INSTALLATION AND MAINTENANCE OF ALL
20 SIGNAGE, INCLUDING SIGNAGE FOR HANDICAPPED PARKING,
21 RESIDENTIAL PERMIT PARKING AND LOADING AREAS, ON AND
22 ALONG HIGHWAYS, STREETS AND ROADWAYS.

23 (III) THE OPERATION AND MANAGEMENT OF ANY
24 HANDICAPPED PARKING, RESIDENTIAL PARKING AND LOADING AREA
25 PERMIT PROGRAMS.

26 (IV) THE ADJUDICATION OF ALL DISPUTED PARKING
27 VIOLATION NOTICES OR CITATIONS ISSUED THROUGH ENFORCEMENT
28 BY THE PARKING AUTHORITY IN A CITY OF THE SECOND CLASS.

29 "ENFORCE." THE ISSUANCE OF PARKING VIOLATION NOTICES OR
30 CITATIONS, THE IMMOBILIZATION, TOWING AND IMPOUNDMENT OF

1 MOTOR VEHICLES AND THE COLLECTION OF FINES, PENALTIES AND
2 COSTS, INCLUDING INDEPENDENT COLLECTION AGENCY FEES, FOR
3 VIOLATIONS OF ANY ORDINANCE OR RESOLUTION ENACTED IN ORDER TO
4 REGULATE OR PROHIBIT THE STOPPING, STANDING OR PARKING OF
5 MOTOR VEHICLES IN A CITY OF THE SECOND CLASS AND THOSE
6 CERTAIN STOPPING, STANDING AND PARKING PROVISIONS PROVIDED IN
7 SECTIONS 3351, 3353 AND 3354.

8 SECTION 6. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

9 (1) THE AMENDMENT OF 75 PA.C.S. § 1505(E) SHALL TAKE
10 EFFECT IN 60 DAYS.

11 (2) THE REENACTMENT AND AMENDMENT OF 75 PA.C.S. § 3116
12 SHALL TAKE EFFECT IMMEDIATELY.

13 (3) THE AMENDMENT OF 75 PA.C.S. § 6109(A)(1), (F) AND
14 (H) SHALL TAKE EFFECT JULY 1, 2012, OR IMMEDIATELY, WHICHEVER
15 IS LATER.

16 (4) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.

17 (5) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 90
18 DAYS.