

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL**No. 104** Session of
2011

INTRODUCED BY FOLMER, ROBBINS, BROWNE, ERICKSON, ORIE, RAFFERTY,
PILEGGI, PICCOLA, YAW, ARGALL, SMUCKER, VANCE, TOMLINSON,
D. WHITE, BAKER, ALLOWAY, PIPPY, CORMAN, GORDNER, BRUBAKER,
EARLL, WARD AND SCARNATI, JANUARY 12, 2011

AS AMENDED ON THIRD CONSIDERATION, MAY 9, 2011

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled,
2 as amended, "An act relating to the finances of the State
3 government; providing for the settlement, assessment,
4 collection, and lien of taxes, bonus, and all other accounts
5 due the Commonwealth, the collection and recovery of fees and
6 other money or property due or belonging to the Commonwealth,
7 or any agency thereof, including escheated property and the
8 proceeds of its sale, the custody and disbursement or other
9 disposition of funds and securities belonging to or in the
10 possession of the Commonwealth, and the settlement of claims
11 against the Commonwealth, the resettlement of accounts and
12 appeals to the courts, refunds of moneys erroneously paid to
13 the Commonwealth, auditing the accounts of the Commonwealth
14 and all agencies thereof, of all public officers collecting
15 moneys payable to the Commonwealth, or any agency thereof,
16 and all receipts of appropriations from the Commonwealth,
17 authorizing the Commonwealth to issue tax anticipation notes
18 to defray current expenses, implementing the provisions of
19 section 7(a) of Article VIII of the Constitution of
20 Pennsylvania authorizing and restricting the incurring of
21 certain debt and imposing penalties; affecting every
22 department, board, commission, and officer of the State
23 government, every political subdivision of the State, and
24 certain officers of such subdivisions, every person,
25 association, and corporation required to pay, assess, or
26 collect taxes, or to make returns or reports under the laws
27 imposing taxes for State purposes, or to pay license fees or
28 other moneys to the Commonwealth, or any agency thereof,
29 every State depository and every debtor or creditor of the
30 Commonwealth," providing for State-owned vehicle use.

31 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. The act of April 9, 1929 (P.L.343, No.176), known
3 as The Fiscal Code, is amended by adding an article to read:

4 ARTICLE XV-B

5 STATE-OWNED VEHICLE USE

6 Section 1501-B. Definitions.

7 The following words and phrases when used in this article
8 shall have the meanings given to them in this section unless the
9 context clearly indicates otherwise:

10 "AGENCY." ANY OF THE FOLLOWING: ←

11 (1) AN AGENCY OF THE EXECUTIVE BRANCH OF STATE
12 GOVERNMENT, INCLUDING THE GOVERNOR'S OFFICE AND ANY EXECUTIVE
13 OFFICES.

14 (2) AN AGENCY OF THE JUDICIAL BRANCH OF STATE
15 GOVERNMENT, INCLUDING MEMBERS OF THE JUDICIARY.

16 (3) AN AGENCY OF THE LEGISLATIVE BRANCH OF STATE
17 GOVERNMENT, INCLUDING MEMBERS OF THE LEGISLATURE.

18 "AGENCY MOTOR POOL." STATE-OWNED VEHICLES ASSIGNED TO AN
19 AGENCY FOR EXCLUSIVE USE BY AGENCY EMPLOYEES AS NEEDED.

20 "Department." The Department of General Services of the
21 Commonwealth.

22 "State employee." The term does not include an elected ←
23 public official of the State government AN INDIVIDUAL DRAWING A ←
24 SALARY OR WAGES FROM AN AGENCY.

25 "State entity." A Commonwealth or judicial agency. ←

26 "State-owned vehicle." A vehicle that is owned by the
27 Commonwealth. The term shall not include vehicles used for law
28 enforcement purposes by persons that have arrest powers.

29 "TEMPORARY FLEET." STATE-OWNED VEHICLES MAINTAINED BY THE ←
30 DEPARTMENT FOR TEMPORARY ASSIGNMENT TO EMPLOYEES OF AN AGENCY AS

1 NEEDED.

2 Section 1502-B. Vehicle registry.

3 ~~The department and each State entity shall post and maintain~~ ←
4 ~~a list of State employees, contract employees and independent~~
5 ~~contractors under its jurisdiction who are assigned a State~~
6 ~~owned vehicle on its respective Internet website. The list shall~~
7 ~~include the State employee's, contract employee's and~~
8 ~~independent contractor's name, State entity, title and year and~~
9 ~~make of the State owned vehicle. The list shall be updated every~~

10 (A) LIST.--THE DEPARTMENT SHALL POST AND MAINTAIN ON ITS ←
11 INTERNET WEBSITE A LIST OF VEHICLES ASSIGNED TO AGENCY MOTOR
12 POOLS, STATE EMPLOYEES, CONTRACT EMPLOYEES, INDEPENDENT
13 CONTRACTORS AND THE TEMPORARY FLEET OR OWNED BY ANOTHER AGENCY.
14 THE LIST SHALL INCLUDE ALL OF THE FOLLOWING:

15 (1) THE PERSON TO WHOM THE VEHICLE IS ASSIGNED.

16 (2) FOR A VEHICLE IN AN AGENCY MOTOR POOL OR IN THE
17 TEMPORARY FLEET, THE IDENTITY OF THE AGENCY TO WHICH THE
18 VEHICLE IS ASSIGNED.

19 (3) TITLE, YEAR AND MAKE OF THE VEHICLE.

20 (B) SUBMITTAL.--THE INFORMATION UNDER SUBSECTION (A) SHALL
21 BE SUBMITTED TO THE DEPARTMENT BY ANY AGENCY THAT OWNS A
22 VEHICLE.

23 (C) UPDATES.--THE LIST SHALL BE UPDATED EVERY 90 days,
24 except that previous years' lists shall remain posted and
25 available.

26 Section 1503-B. Official use license plate.

27 Any State-owned vehicle assigned to a State employee,
28 contract employee or independent contractor shall have an
29 official use license plate unless the State employee, contract ←
30 OFFICIAL USE LICENSE PLATE UNLESS: ←

1 (1) THE STATE EMPLOYEE, CONTRACT employee or independent
2 contractor to whom that State-owned vehicle is assigned
3 performs undercover law enforcement duties OR OTHER ←
4 UNDERCOVER INVESTIGATIONS.

5 (2) THE INDIVIDUAL TO WHOM THAT VEHICLE IS ASSIGNED IS ←
6 AN ELECTED OFFICIAL.

7 Section 2. This act shall take effect in 60 days.