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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2036 Session of  
2014

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INTRODUCED BY MOUL, FEBRUARY 24, 2014

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REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 24, 2014

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AN ACT

1 Requiring mass transit authorities to file with the Department  
2 of Transportation and implement an annual plan for natural  
3 gas conversion of buses; and imposing powers and duties on  
4 the Department of Transportation.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Better Use of  
9 Specie Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall  
12 have the meanings given to them in this section unless the  
13 context clearly indicates otherwise:

14 "Bus." A motor vehicle designed for carrying 15 or more  
15 passengers, exclusive of the driver, and used for the  
16 transportation of persons for compensation.

17 "Department." The Department of Transportation of the  
18 Commonwealth.

19 "Mass transit authority." An operator of regularly scheduled

1 transportation that is available to the general public and is  
2 provided according to published schedules along designated  
3 published routes with specified stopping points for taking on  
4 and discharging of passengers. The term does not include  
5 exclusive ride taxi services, charter or sightseeing services,  
6 nonpublic transportation or school bus or limousine services.

7 "Natural gas." Gas issued from the Earth's crust through  
8 natural openings or bored wells and that is typically a  
9 combustible mixture of methane and other hydrocarbons used  
10 chiefly as a fuel and raw material. The term includes the  
11 compressed form and liquefied form of natural gas.

12 Section 3. Annual mass transit authority plan for natural gas  
13 conversion.

14 (a) Annual plan.--Through an annual plan, each mass transit  
15 authority shall establish goals and objectives, including  
16 efforts to reach 100% natural gas conversion of its bus fleet.  
17 The plan shall be developed to promote policies and develop  
18 mechanisms for newly converting 10% of the bus fleet annually to  
19 natural gas.

20 (b) Submission.--Not later than May 1 of each year, the mass  
21 transit authority shall submit to the department a plan under  
22 this section for the ensuing year.

23 (c) Contents of plan.--The plan under this section shall  
24 include all of the following information:

25 (1) A summary of the actions the mass transit authority  
26 will take to convert 10% of its bus fleet to natural gas  
27 until all of its bus fleet is converted to natural gas. The  
28 summary shall lay out the sequence of actions required for  
29 conversion of the bus fleet to natural gas and shall organize  
30 the actions into immediate, mid-term and long-term sequences.

1           (2) The amount of Federal, State and local funds  
2 received by the mass transit authority.

3           (3) Projections of operating and capital costs and  
4 savings over a ten-year period.

5           (d) Implementation.--One year from the date of the filing of  
6 the first annual plan with the department, a mass transit  
7 authority shall begin implementation of that plan.

8 Section 4. Department review.

9           (a) Compliance.--Within 90 days after receipt of an annual  
10 plan, the department shall determine whether it complies with  
11 this act. If the plan is found to be in compliance with this  
12 act, the department shall notify the applicant of the finding in  
13 writing. If the plan is found to not be in compliance with this  
14 act, the department shall notify the applicant in writing of the  
15 finding and its reasons for finding the plan to not be in  
16 compliance with this act.

17           (b) Penalty.--If the department finds that a mass transit  
18 authority is unable to comply with the requirements of this act  
19 or has failed to implement the annual plan and a waiver has not  
20 been granted under section 5, the department shall withhold 10%  
21 of the mass transit authority's total State funding from the  
22 following year's funding level.

23 Section 5. Waiver.

24           (a) General rule.--The department shall grant a waiver to a  
25 mass transit authority that is unable to meet the requirements  
26 of this act for any of the following reasons:

27           (1) An act of God.

28           (2) A lack of physical availability of natural gas to  
29 the mass transit authority's facility.

30           (3) The cost of conversion to natural gas is greater

1 than the savings of converting to natural gas.

2 (b) Submission.--A mass transit authority shall apply for a  
3 waiver on a form approved by the department.

4 Section 6. Appeals.

5 Any person aggrieved by action of the department under this  
6 act shall have the right, within 30 days of receipt of notice of  
7 such action, to appeal to the Environmental Hearing Board.

8 Section 7. Enforcement.

9 The department shall investigate compliance with and enforce  
10 the provisions of this act. The department shall have the power  
11 to promulgate regulations to ensure the proper administration or  
12 enforcement of this act.

13 Section 8. Effective date.

14 This act shall take effect in 60 days.