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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1007 Session of  
2015

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INTRODUCED BY TEPLITZ, COSTA AND HUGHES, SEPTEMBER 25, 2015

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REFERRED TO TRANSPORTATION, SEPTEMBER 25, 2015

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, in messenger service, further providing for  
3 authorization of messenger and agent services, for agent  
4 duties and responsibilities and for transaction of business  
5 with department; and providing for fees, for agent training  
6 and for audits.

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

9 Section 1. Section 7501(a) of Title 75 of the Pennsylvania  
10 Consolidated Statutes is amended to read:

11 § 7501. Authorization of messenger and agent services.

12 (a) General rule.--The department shall enter into contracts  
13 for messenger and agent services. Contracts shall include a  
14 statement that noncompliance with any contract requirement shall  
15 be subject to department-imposed sanctions.

16 \* \* \*

17 Section 2. Section 7504.1 of Title 75 is amended by adding a  
18 subsection to read:

19 § 7504.1. Agent duties and responsibilities.

20 \* \* \*

1 (e) Fees.--Each messenger or agent service that maintains a  
2 publicly accessible Internet website shall post current fee  
3 information for each service offered under its contract.

4 Section 3. Section 7505 of Title 75 is amended to read:  
5 § 7505. Transaction of business with department.

6 (a) Department designation.--The department may designate  
7 those locations, facilities and hours of operation at which  
8 messenger or agent services may transact business with the  
9 department. Every messenger or agent service with whom a  
10 contract has been signed pursuant to this chapter shall be  
11 permitted to transact business with the department at the  
12 locations and facilities and during the hours of operation  
13 designated by the department.

14 (b) Listing.--The department shall maintain a comprehensive  
15 listing of all messenger or agent services under subsection (a),  
16 which includes the messenger or agent service's name and  
17 business location, the services offered under the agent  
18 service's contract and the corresponding fee schedule. The  
19 information shall be made available on the department's  
20 publicly accessible Internet website.

21 (c) Regulations.--The department may prescribe such  
22 regulations as may be necessary for the administration of this  
23 chapter.

24 Section 4. Title 75 is amended by adding sections to read:  
25 § 7507.1. Fees.

26 The department shall establish the maximum fee allowable for  
27 each service that a messenger or agent service may offer.

28 § 7510. Agent training.

29 (a) Contract provision.--A contract between the department  
30 and a card agent or full agent shall include provisions that:

1           (1) a card agent or full agent must obtain basic agent  
2 training before the agent provides services under the  
3 contract; and

4           (2) services under the contract may only be provided if  
5 an individual who has received basic agent training is  
6 present.

7       (b) Training required.--Employees of card agents or full  
8 agents must obtain basic agent training within 120 days of  
9 hiring. Card agents, full agents and employees of card or full  
10 agents must complete training biannually.

11       (c) Sanction.--The department shall prohibit a card agent,  
12 full agent, and any employee of a card agent or full agent, from  
13 performing agent services if the agent or employee of the agent  
14 does not obtain the required training. The sanction shall remain  
15 in effect until documentation of completion of the training is  
16 received by the department.

17       (d) Database.--The department shall establish a database  
18 containing information on agent training for the purpose of  
19 monitoring agents' compliance with training requirements.

20 § 7511. Audits.

21       (a) General rule.--The department shall establish an audit  
22 procedure to monitor compliance with this chapter. The audit  
23 procedure shall include, at a minimum, the requirements set  
24 forth under this section.

25       (b) Auditor training.--The department shall:

26           (1) Develop a standard curriculum for auditors. The  
27 training shall be provided on an ongoing basis and shall  
28 include basic and advanced instruction and cover the  
29 following topics:

30           (i) Fraud.

1           (ii) Responsibilities of an agent under the agent's  
2           contract with the department.

3           (2) Monitor auditor training to ensure each auditor is  
4           receiving the required training.

5           (c) Procedures generally.--Audit procedures shall be  
6           standardized and published in a comprehensive audit manual. The  
7           manual shall include specific steps for necessary follow-up when  
8           deficiencies are identified.

9           (d) Online messenger services.--Online messenger service  
10          audit procedures shall include specific steps for follow-up on  
11          audit deficiencies and provide guidance on necessary  
12          documentation of any follow-up. Procedures shall ensure that  
13          each online messenger service has an ongoing training plan in  
14          place and that each online messenger service employee has  
15          completed initial and ongoing training.

16          (e) Number of audits.--The department shall increase efforts  
17          to conduct a greater number of audits each year to meet its  
18          stated goals and to ensure that every contracted agent is  
19          audited within a four-year period.

20          (f) Documentation.--The department shall ensure that:

21           (1) Auditors document all audit steps performed, the  
22           results of each step and any follow-up of audit deficiencies.

23           (2) Audit lists of items checked are complete and  
24           accurate.

25          (g) Department practices.--The department shall implement  
26          the following practices:

27           (1) Auditors shall be permitted to travel overnight as  
28           warranted.

29           (2) Auditors' work schedules shall be adjusted to allow  
30           audits to be conducted after 5 p.m., as needed.

1           (3) All card agents and full agents must be included in  
2           the population from which the department selects agents to  
3           audit.

4           Section 5. This act shall take effect in 60 days.