
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 905 Session of
2019

INTRODUCED BY HOHENSTEIN, F. KELLER, SOLOMON, ISAACSON, HILL-
EVANS, MILLARD, MASSER, NEILSON AND KENYATTA, MARCH 20, 2019

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 20, 2019

AN ACT

1 Providing for reimbursement of Pennsylvania Turnpike tolls for
2 certain companies; establishing the Pennsylvania Turnpike-to-
3 Port Freight Reimbursement Fund; and providing for duties of
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 Pennsylvania
9 Turnpike-to-Port Freight Reimbursement 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 "Company." Either of the following:

15 (1) A business that is a licensee of the Pennsylvania
16 Preferred® trademark under 3 Pa.C.S. Ch. 46 (relating to
17 Pennsylvania Preferred® trademark).

18 (2) A business that meets all of the following
19 requirements:

1 (i) Has a physical headquarters located in this
2 Commonwealth.

3 (ii) Is registered with the Department of State of
4 the Commonwealth.

5 (iii) Grows or manufactures products in this
6 Commonwealth.

7 (iv) Uses the Pennsylvania Turnpike to transport
8 products to the Port of Philadelphia for the purpose of
9 shipping.

10 "Department." The Department of Transportation of the
11 Commonwealth.

12 "Fund." The Pennsylvania Turnpike-to-Port Freight
13 Reimbursement Fund established under section 3.

14 "Turnpike." The Pennsylvania Turnpike.
15 Section 3. Pennsylvania Turnpike-to-Port Freight Reimbursement
16 Fund.

17 (a) Establishment.--The Pennsylvania Turnpike-to-Port
18 Freight Reimbursement Fund is established in the State Treasury
19 for the purpose of reimbursing companies that pay tolls on the
20 turnpike to transport products to the Port of Philadelphia for
21 shipping.

22 (b) Application for reimbursement.--A company may apply to
23 the department for reimbursement from the fund. The department
24 shall provide an application form. A company shall submit all of
25 the following with the application:

26 (1) An itemized inventory of the products transported
27 via the turnpike.

28 (2) The place of origin of the products.

29 (3) The name and address of any shipping contractor used
30 for transporting the products via the turnpike.

1 (4) Proof of payment of turnpike tolls by the company or
2 shipping contractor.

3 (5) The date and time of the arrival of the products to
4 the Port of Philadelphia.

5 (6) Documentation that the products were shipped from
6 the Port of Philadelphia, including the date of shipping, the
7 name of the ship and the destination of the products.

8 (7) The number of full-time, part-time and contract
9 employees with the company.

10 (8) The annual revenues of the company.

11 (9) The history of the company, including when and where
12 it was founded and how it has grown from founding to the
13 present in terms of number of employees, revenues and
14 locations.

15 (c) Investigation of application.--The department shall
16 investigate and confirm the accuracy of an application under
17 subsection (b). The department may confer with the Pennsylvania
18 Turnpike Commission and the Port of Philadelphia to confirm the
19 accuracy of an application.

20 (d) Timing.--An application for reimbursement to the
21 department shall be submitted on a quarterly basis. If
22 sufficient money is available in the fund, the department shall
23 reimburse a company within 60 days of the date that an
24 application is confirmed to be accurate under subsection (c).

25 Section 4. Penalties.

26 (a) Penalties.--If the department determines that a company
27 has submitted a false application or if the department
28 erroneously paid a reimbursement due to false information, the
29 company:

30 (1) shall pay back the reimbursement, if any;

1 (2) is prohibited from seeking reimbursement from the
2 fund; and

3 (3) is subject to a \$5,000 fine.

4 (b) Deposit of fines.--Any fines collected under subsection
5 (a) shall be deposited in the fund.

6 Section 5. Fund balance.

7 The fund balance shall be limited to \$2,500,000, and any
8 amount in excess of \$2,500,000 shall be deposited in the General
9 Fund.

10 Section 6. Reporting.

11 Beginning January 1, 2020, and annually thereafter, the
12 department shall submit an annual report of the fund to the
13 General Assembly.

14 Section 7. Regulations.

15 The department, in consultation with the Pennsylvania
16 Turnpike Commission, may promulgate rules and regulations
17 necessary to administer and enforce this act.

18 Section 8. Effective date.

19 This act shall take effect in 60 days.