

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2065 Session of 2020

INTRODUCED BY WHITE, ROTHMAN, SCHMITT, PICKETT, BROWN, STRUZZI, ECKER, MIZGORSKI, HENNESSEY, SCHLEGEL CULVER, ZIMMERMAN AND POLINCHOCK, MARCH 13, 2020

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 29, 2020

AN ACT

1 Amending Title 74 (Transportation) of the Pennsylvania
2 Consolidated Statutes, in public-private transportation
3 partnerships, further providing for definitions and for
4 duties of board.

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

7 Section 1. The definition of "public private transportation <--
8 partnership agreement" in section 9102 of Title 74 of the
9 Pennsylvania Consolidated Statutes is amended to read:

10 SECTION 1. THE DEFINITIONS OF "PUBLIC ENTITY" AND "PUBLIC- <--
11 PRIVATE TRANSPORTATION PARTNERSHIP AGREEMENT" IN SECTION 9102 OF
12 TITLE 74 OF THE PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED
13 TO READ:

14 § 9102. Definitions.

15 The following words and phrases when used in this chapter
16 shall have the meanings given to them in this section unless the
17 context clearly indicates otherwise:

18 * * *

1 "PUBLIC ENTITY." A COMMONWEALTH AGENCY AS DEFINED IN 62
 2 PA.C.S. § 103 (RELATING TO DEFINITIONS), A MUNICIPALITY, A
 3 MUNICIPAL AUTHORITY OR AN AUTHORITY CREATED BY STATUTE WHICH
 4 OWNS A TRANSPORTATION FACILITY. THE TERM DOES NOT INCLUDE THE
 5 GENERAL ASSEMBLY AND ITS MEMBERS, OFFICERS OR AGENCIES OR ANY
 6 COURT OR OTHER OFFICE OR AGENCY OF THE PENNSYLVANIA JUDICIAL
 7 SYSTEM.

8 "Public-private transportation partnership agreement." A
 9 contract for a transportation project which transfers the rights
 10 for the use or control, in whole or in part, of a transportation
 11 facility by a public entity to a development entity for a
 12 definite term during which the development entity will provide
 13 the transportation project to the public entity in return for
 14 the right to receive all or a portion of the revenue generated
 15 from the use of the transportation facility, or other payment,
 16 such as the following transportation-related services:

- 17 (1) Operations and maintenance.
- 18 (2) Revenue collection.
- 19 (3) User fee collection or enforcement.
- 20 (4) Design.
- 21 (5) Construction.
- 22 (6) Development and other activities with respect to
 23 existing or new transportation facilities that enhance
 24 traffic throughput, reduce congestion, improve safety or
 25 otherwise manage or improve a transportation facility.
- 26 (7) Financing.
- 27 (8) Truck parking.
- 28 (9) Weigh station bypassing.
- 29 (10) Electronic toll payment.
- 30 (11) Snow and ice removal for commercial vehicles.

1 * * *

2 Section 2. Section 9104(a)(5) of Title 74 is amended to
3 read:

4 § 9104. Duties of board.

5 (a) Duties.--The board shall do all of the following:

6 * * *

7 (5) Submit an annual report to the General Assembly
8 [detailing all transportation projects evaluated and
9 resolutions adopted.], including, but not limited to, the
10 following:

11 (i) A description of all transportation projects
12 evaluated and resolutions adopted.

13 (ii) A description of all transportation projects
14 denied and reasons for the denial.

15 (iii) A description of all unsolicited plans for
16 transportation projects submitted by private entities and
17 the status of the board's evaluation of the unsolicited
18 plans.

19 (iv) A description of all requests for
20 transportation projects submitted by public entities and
21 the status of the board's evaluation of the requests.

22 * * *

23 Section 3. This act shall take effect in 60 days.