
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2578 Session of
2020

INTRODUCED BY WHITE, JUNE 15, 2020

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 15, 2020

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in preliminary provisions, further providing for
3 definitions; and, in rules of the road in general, further
4 providing for prohibitions in specified places and providing
5 for automated mass transit vehicle zone parking enforcement
6 systems in first class cities and for pilot program for
7 automated bus lane enforcement systems on designated bus
8 lanes.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 102 of Title 75 of the Pennsylvania
12 Consolidated Statutes is amended by adding a definition to read:
13 § 102. Definitions.

14 Subject to additional definitions contained in subsequent
15 provisions of this title which are applicable to specific
16 provisions of this title, the following words and phrases when
17 used in this title shall have, unless the context clearly
18 indicates otherwise, the meanings given to them in this section:

19 * * *

20 "Automated bus lane enforcement system." An electronic
21 traffic sensor system that:

1 (1) is able to automatically detect vehicles violating
2 the dedicated bus lane within the Southeastern Pennsylvania
3 Transportation Authority (SEPTA) system; and

4 (2) produces recorded images that show:

5 (i) a clear and legible identification of the
6 vehicle's entire rear license plate;

7 (ii) location; and

8 (iii) date and time.

9 * * *

10 Section 2. Section 3353(a)(2) of Title 75 is amended by
11 adding a subparagraph to read:

12 § 3353. Prohibitions in specified places.

13 (a) General rule.--Except when necessary to avoid conflict
14 with other traffic or to protect the safety of any person or
15 vehicle or in compliance with law or the directions of a police
16 officer or official traffic-control device, no person shall:

17 * * *

18 (2) Stand or park a vehicle:

19 * * *

20 (x) Within a mass transit vehicle loading zone that
21 is posted with official signs designating the space.

22 * * *

23 Section 3. Title 75 is amended by adding sections to read:

24 § 3355. Pilot program for automated mass transit vehicle zone
25 parking enforcement systems in first class cities.

26 (a) Establishment.--A pilot program is established to
27 provide for an automated mass transit vehicle zone parking
28 enforcement system in a city of the first class. The following
29 shall apply:

30 (1) A city of the first class in compliance with

1 subsection (h), is authorized to enforce section 3353(a) (2)
2 (x) (relating to prohibitions in specified places) by
3 recording violations using an automated mass transit vehicle
4 zone parking enforcement system approved by the department.

5 (2) This section shall only be applicable in the city of
6 the first class agreed upon by the system administrator and
7 the secretary.

8 (b) Owner liability.--For each violation under this section,
9 the owner of the vehicle shall be liable for the penalty imposed
10 unless the owner is convicted of the same violation under
11 another section of this title or has a defense under subsection
12 (f).

13 (c) Certificate as evidence.--A certificate, or a facsimile
14 of a certificate, based upon inspection of recorded images
15 produced by an automated mass transit vehicle zone parking
16 enforcement system and sworn to or affirmed by a police officer
17 employed by the city of the first class or SEPTA shall be prima
18 facie evidence of the facts contained in the certificate. The
19 city shall include written documentation that the automated mass
20 transit vehicle zone parking enforcement system was operating
21 correctly at the time of the alleged violation. A recorded image
22 evidencing a violation of section 3353(a) (2) (x) shall be
23 admissible in any judicial or administrative proceeding to
24 adjudicate the liability for the violation.

25 (d) Penalty.--The following shall apply:

26 (1) The penalty for a violation under subsection (a)
27 shall be a fine of \$75.

28 (2) A fine is not authorized during the first 30 days of
29 operation of the automated mass transit vehicle zone parking
30 enforcement system.

1 (3) A warning may be sent to the violator under
2 paragraph (2).

3 (4) A penalty imposed under this section shall not be
4 deemed a criminal conviction and shall not be made part of
5 the operating record under section 1535 (relating to schedule
6 of convictions and points) of the person upon whom the
7 penalty is imposed, nor may the imposition of the penalty be
8 subject to merit rating for insurance purposes.

9 (5) No surcharge points may be imposed in the provision
10 of motor vehicle insurance coverage. Fines collected under
11 this section shall not be subject to 42 Pa.C.S. § 3571
12 (relating to Commonwealth portion of fines, etc.) or 3573
13 (relating to municipal corporation portion of fines, etc.).

14 (e) Limitations.--The following shall apply:

15 (1) Notwithstanding any other provision of law, camera
16 equipment deployed as part of an automated mass transit
17 vehicle zone parking enforcement system as provided under
18 this section shall be incapable of automated or user-
19 controlled remote surveillance by means of recorded video
20 images. Recorded images collected as part of the automated
21 mass transit vehicle zone parking enforcement system may only
22 record parking violations and may not be used for any other
23 surveillance purposes. The restrictions provided under this
24 paragraph shall not be deemed to preclude a court of
25 competent jurisdiction from issuing an order directing that
26 the information be provided to law enforcement officials if
27 the information is reasonably described and is requested
28 solely in connection with a criminal law enforcement action.

29 (2) Notwithstanding any other provision of law,
30 information prepared under this section and information

1 relating to violations under this section which is kept by
2 the city of the first class, its authorized agents or its
3 employees, including recorded images, written records,
4 reports or facsimiles, names, addresses and the number of
5 violations under this section, shall be for the exclusive use
6 of the city, its authorized agents, its employees and law
7 enforcement officials for the purpose of discharging their
8 duties under this section and under any ordinances and
9 resolutions of the city. The information shall not be deemed
10 a public record under the act of February 14, 2008 (P.L.6,
11 No.3), known as the Right-to-Know Law. The information shall
12 not be discoverable by court order or otherwise, nor shall it
13 be offered as evidence in any action or proceeding which is
14 not directly related to a violation of this section or any
15 ordinance or resolution of the city except that the
16 information can be used by a city of the first class, its
17 authorized agents or its employees in defense against tort
18 claims brought against it. The restrictions provided under
19 this paragraph shall not be deemed to preclude a court of
20 competent jurisdiction from issuing an order directing that
21 the information be provided to law enforcement officials if
22 the information is reasonably described and is requested
23 solely in connection with a criminal law enforcement action.

24 (3) Recorded images obtained through the use of
25 automated mass transit vehicle zone parking enforcement
26 systems deployed as a means of promoting traffic safety and
27 congestion management in a city of the first class shall be
28 destroyed within two years of final disposition of any
29 recorded event. The system administrator shall file notice
30 with the Department of State that the records have been

1 destroyed in accordance with this section.

2 (4) Notwithstanding any other provision of law,
3 registered vehicle owner information obtained as a result of
4 the operation of an automated mass transit vehicle zone
5 parking enforcement system under this section shall not be
6 the property of the manufacturer or vendor of the automated
7 mass transit vehicle zone parking enforcement system and may
8 not be used for any purpose other than prescribed in this
9 section.

10 (f) Defenses.--The following shall apply:

11 (1) It shall be a defense to a violation under this
12 section that the person named in the notice of the violation
13 was not operating the vehicle at the time of the violation.
14 The owner may be required to submit evidence that the owner
15 was not the driver at the time of the alleged violation. The
16 city of the first class may not require the owner of the
17 vehicle to disclose the identity of the operator of the
18 vehicle at the time of the violation.

19 (2) If an owner receives a notice of violation under
20 this section of a time period during which the vehicle was
21 reported to a police department of any state or municipality
22 as having been stolen, it shall be a defense to a violation
23 under this section that the vehicle has been reported to a
24 police department as stolen prior to the time the violation
25 occurred and had not been recovered prior to that time.

26 (3) It shall be a defense to a violation under this
27 section that the person receiving the notice of violation was
28 not the owner of the vehicle at the time of the offense.

29 (g) Department approval.--No automated mass transit vehicle
30 zone parking enforcement system may be used without the approval

1 of the department and the department shall have the authority to
2 promulgate regulations for the certification and use of the
3 systems.

4 (h) Duty of city.--The following provisions shall apply to a
5 city of the first class in implementing this section:

6 (1) The city may not use an automated mass transit
7 vehicle zone parking enforcement system unless there is
8 posted an appropriate sign in a conspicuous place within the
9 area in which the automated mass transit vehicle zone parking
10 enforcement device is to be used notifying the public that an
11 automated mass transit vehicle zone parking enforcement
12 device is in use.

13 (2) Notwithstanding the provisions of § 6109(g)(1), the
14 city shall designate or appoint the Southeastern Pennsylvania
15 Transportation Authority (SEPTA) as the system administrator
16 to supervise and coordinate the administration of notices of
17 violation issued under this section.

18 (3) The system administrator shall prepare a notice of
19 violation to the registered owner of a vehicle identified in
20 a recorded image produced by an automated mass transit
21 vehicle zone parking enforcement system as evidence of a
22 violation of section 3353(a)(2)(x). The issuance of the
23 notice of violation shall be done by a police officer
24 employed by the police department with primary jurisdiction
25 over the area where the violation occurred or by a police
26 officer employed by SEPTA. The notice of violation shall have
27 attached to it:

28 (i) a copy of the recorded image showing the
29 vehicle;

30 (ii) the registration number and state of issuance

1 of the vehicle registration;

2 (iii) the date, time and place of the alleged
3 violation;

4 (iv) that the violation charged is under section
5 3353(a)(2)(x); and

6 (v) instructions for return of the notice of
7 violation.

8 (4) The text of the notice of violation shall be as
9 follows:

10 This notice shall be returned personally, by mail or by an
11 agent duly authorized in writing, within 30 days of issuance.

12 A hearing may be obtained upon the written request of the
13 registered owner.

14 (i) System administrator.--The following shall apply:

15 (1) The system administrator may hire and designate
16 personnel as necessary or contract for services to implement
17 this section.

18 (2) The system administrator shall process fines issued
19 under this section.

20 (3) The system administrator shall submit an annual
21 report to the chairperson and the minority chairperson of the
22 Transportation Committee of the Senate and the chairperson
23 and minority chairperson of the Transportation Committee of
24 the House of Representatives. The report shall be considered
25 a public record under the Right-to-Know Law and include for
26 the prior year:

27 (i) The number of violations and fines issued.

28 (ii) A compilation of fines paid and outstanding.

29 (iii) The amount of money paid to a vendor or
30 manufacturer under this section.

1 (j) Notice to owner.--In the case of a violation involving a
2 motor vehicle registered under the laws of this Commonwealth,
3 the notice of violation shall be mailed within 30 days after the
4 commission of the violation or within 30 days after the
5 discovery of the identity of the registered owner, whichever is
6 later, and not thereafter to the address of the registered owner
7 as listed in the records of the department. In the case of motor
8 vehicles registered in jurisdictions other than this
9 Commonwealth, the notice of violation shall be mailed within 30
10 days after the discovery of the identity of the registered
11 owner, and not thereafter to the address of the registered owner
12 as listed in the records of the official in the jurisdiction
13 having charge of the registration of the vehicle. A notice of
14 violation under this section shall be provided to an owner
15 within 90 days of the commission of the offense.

16 (k) Mailing of notice and records.--Notice of a violation
17 shall be sent by first class mail. A manual or automatic record
18 of mailing prepared by the system administrator in the ordinary
19 course of business shall be prima facie evidence of mailing and
20 shall be admissible in any judicial or administrative proceeding
21 as to the facts contained in it.

22 (l) Payment of fine.--The following shall apply:

23 (1) An owner to whom a notice of violation has been
24 issued may admit responsibility for the violation and pay the
25 fine provided in the notice.

26 (2) Payment shall be made personally, through an
27 authorized agent, electronically or by mailing both payment
28 and the notice of violation to the system administrator.
29 Payment by mail shall be made only by money order, credit
30 card or check made payable to the system administrator.

1 (3) Notwithstanding the provisions of § 6109(g)(2), the
2 system administrator shall remit the fine, less the system
3 administrator's operation and maintenance costs necessitated
4 by this section, to the city of the first class, except that
5 75% of all net revenue shall be retained by the system
6 administrator and 25% of all net revenue shall be deposited
7 into a restricted receipts account to be established in the
8 Commonwealth Financing Authority to be used exclusively for
9 grants for small businesses within a county of the first
10 class.

11 (4) Payment of the established fine and applicable
12 penalties shall operate as a final disposition of the case.

13 (m) Hearing.--The following shall apply:

14 (1) An owner to whom a notice of violation has been
15 issued may, within 30 days of the mailing of the notice,
16 request a hearing to contest the liability alleged in the
17 notice. A hearing request shall be made by appearing before
18 the system administrator during regular office hours either
19 personally or by an authorized agent or by mailing a request
20 in writing.

21 (2) Upon receipt of a hearing request, the system
22 administrator shall in a timely manner schedule the matter
23 before a hearing officer. The hearing officer shall be
24 designated by the city of the first class. Written notice of
25 the date, time and place of hearing shall be sent by first
26 class mail to the owner.

27 (3) The hearing shall be conducted pursuant to 2 Pa.C.S.
28 Ch. 5 (relating to practice and procedure) and shall be
29 subject to appeal pursuant to 2 Pa.C.S. Ch. 7 (relating to
30 judicial review).

1 (n) Compensation to manufacturer or vendor.--If a city of
2 the first class has established an automated mass transit
3 vehicle zone parking enforcement system deployed as a means of
4 promoting traffic safety and the enforcement of the traffic laws
5 of this Commonwealth or the city, the compensation paid to the
6 manufacturer or vendor of the automated mass transit vehicle
7 zone parking enforcement system may not be based upon the number
8 of traffic citations issued or a portion or percentage of the
9 fine generated by the citations. The compensation paid to the
10 manufacturer or vendor of the equipment shall be based upon the
11 value of the equipment and the services provided or rendered in
12 support of the automated mass transit vehicle zone parking
13 enforcement system.

14 (o) Expiration.--This section shall expire seven years from
15 its effective date.

16 § 3371. Pilot program for automated bus lane enforcement
17 systems on designated bus lanes.

18 (a) Establishment.--A pilot program is established to
19 provide for an automated bus lane enforcement system on
20 designated bus lanes in a city of the first class. The following
21 shall apply:

22 (1) The mayor of a city of the first class is authorized
23 to enforce section 3309(3) (relating to driving on roadways
24 laned for traffic), as it applies to dedicated bus lanes, by
25 recording violations using an automated bus lane enforcement
26 system approved by the department.

27 (2) This section shall only be applicable in a city of
28 the first class in areas agreed upon by the system
29 administrator and the secretary using the automated bus lane
30 enforcement system on dedicated SEPTA bus lanes.

1 (b) Owner liability.--For each violation under this section,
2 the owner of the vehicle shall be liable for the penalty imposed
3 unless the owner is convicted of the same violation under
4 another section of this title or has a defense under subsection
5 (g).

6 (c) Certificate as evidence.--A certificate, or a facsimile
7 of a certificate, based upon inspection of recorded images
8 produced by an automated bus lane enforcement system and sworn
9 to or affirmed by a police officer employed by the city of the
10 first class or SEPTA shall be prima facie evidence of the facts
11 contained in the certificate. SEPTA shall include written
12 documentation that the automated bus lane enforcement system was
13 operating correctly at the time of the alleged violation. A
14 recorded image evidencing a violation of section 3309(3), as
15 applies to dedicated bus lanes, shall be admissible in any
16 judicial or administrative proceeding to adjudicate the
17 liability for the violation.

18 (d) Penalty.--The following shall apply:

19 (1) The penalty for a violation under subsection (a)
20 shall be a fine of \$150 unless a lesser amount is set by
21 ordinance. The ordinance may create fines for first offense,
22 second offense and third and subsequent offenses, but no
23 single fine shall exceed \$150.

24 (2) A penalty is authorized only for a violation of this
25 section if each of the following applies:

26 (i) At least two appropriate signs are conspicuously
27 placed along the dedicated bus lane notifying the public
28 that an automated bus lane enforcement device is in use.

29 (ii) A notice identifying the use of the automated
30 bus lane enforcement system is posted on SEPTA's publicly

1 accessible Internet website throughout the period of use.

2 (3) A fine is not authorized during the first 30 days of
3 operation of an automated bus lane enforcement system.

4 (4) The system administrator may provide a written
5 warning to the registered owner of a vehicle determined to
6 have violated this section during the first 30 days of
7 operation of the automated bus lane enforcement system.

8 (5) A penalty imposed under this section shall not be
9 deemed a criminal conviction and shall not be made part of
10 the operating record under section 1535 (relating to schedule
11 of convictions and points) of the person upon whom the
12 penalty is imposed, nor may the imposition of the penalty be
13 subject to merit rating for insurance purposes.

14 (6) No surcharge points may be imposed in the provision
15 of motor vehicle insurance coverage. Penalties collected
16 under this section shall not be subject to 42 Pa.C.S. § 3571
17 (relating to Commonwealth portion of fines, etc.) or 3573
18 (relating to municipal corporation portion of fines, etc.).

19 (e) Violation.--Driving, parking, stopping or standing in a
20 dedicated bus lane shall be a violation of this section.

21 (f) Limitations.--The following shall apply:

22 (1) No automated bus lane enforcement system shall be
23 utilized in such a manner as to take a frontal view recorded
24 image of the vehicle as evidence of having committed a
25 violation.

26 (2) Notwithstanding any other provision of law, camera
27 equipment deployed as part of an automated bus lane
28 enforcement system as provided under this section shall be
29 incapable of automated or user-controlled remote surveillance
30 by means of recorded video images. Recorded images collected

1 as part of the automated bus lane enforcement system may only
2 record traffic violations and may not be used for any other
3 surveillance purposes, but may include video of the area
4 enforced when triggered by a violation. The restrictions
5 provided under this paragraph shall not be deemed to preclude
6 a court of competent jurisdiction from issuing an order
7 directing that the information be provided to law enforcement
8 officials if the information is reasonably described and is
9 requested solely in connection with a criminal law
10 enforcement action.

11 (3) Notwithstanding any other provision of law,
12 information prepared under this section and information
13 relating to violations under this section which is kept by a
14 city of the first class, its authorized agents or its
15 employees, including recorded images, written records,
16 reports or facsimiles, names, addresses and the number of
17 violations under this section, shall be for the exclusive use
18 of the city, its authorized agents, its employees and law
19 enforcement officials for the purpose of discharging their
20 duties under this section and under any ordinances and
21 resolutions of the city. The information shall not be deemed
22 a public record under the act of February 14, 2008 (P.L.6,
23 No.3), known as the Right-to-Know Law. The information shall
24 not be discoverable by court order or otherwise, nor shall it
25 be offered in evidence in any action or proceeding which is
26 not directly related to a violation of this section or any
27 ordinance or resolution of the city except that the
28 information can be used by a city of the first class, its
29 authorized agents or its employees in defense against tort
30 claims brought against it. The restrictions provided under

1 this paragraph shall not be deemed to preclude a court of
2 competent jurisdiction from issuing an order directing that
3 the information be provided to law enforcement officials if
4 the information is reasonably described and is requested
5 solely in connection with a criminal law enforcement action.

6 (4) Recorded images obtained through the use of
7 automated bus lane enforcement systems deployed as a means of
8 promoting traffic safety in a city of the first class shall
9 be destroyed within two years of final disposition of any
10 recorded event. The system administrator shall file notice
11 with the Department of State that the records have been
12 destroyed in accordance with this section.

13 (5) Notwithstanding any other provision of law,
14 registered vehicle owner information obtained as a result of
15 the operation of an automated bus lane enforcement system
16 under this section shall not be the property of the
17 manufacturer or vendor of the automated bus lane enforcement
18 system and may not be used for any purpose other than
19 prescribed in this section.

20 (6) A violation of this subsection shall constitute a
21 misdemeanor of the third degree punishable by a \$500 fine.
22 Each violation shall constitute a separate and distinct
23 offense.

24 (g) Defenses.--The following shall apply:

25 (1) It shall be a defense to a violation under this
26 section that the person named in the notice of the violation
27 was not operating the vehicle at the time of the violation.
28 The owner may be required to submit evidence that the owner
29 was not the driver at the time of the alleged violation. The
30 city of the first class may not require the owner of the

1 vehicle to disclose the identity of the operator of the
2 vehicle at the time of the violation.

3 (2) If an owner receives a notice of violation under
4 this section of a time period during which the vehicle was
5 reported to a police department of any state or municipality
6 as having been stolen, it shall be a defense to a violation
7 under this section that the vehicle has been reported to a
8 police department as stolen prior to the time the violation
9 occurred and had not been recovered prior to that time.

10 (3) It shall be a defense to a violation under this
11 section that the person receiving the notice of violation was
12 not the owner of the vehicle at the time of the offense.

13 (h) Department approval.--The following shall apply:

14 (1) No automated bus lane enforcement system may be used
15 without the approval of the department and the department
16 shall have the authority to promulgate regulations for the
17 certification and use of the systems.

18 (2) Notwithstanding any other provision of law, the
19 devices identified in paragraph (1) shall be tested for
20 accuracy at regular intervals as designated by regulation of
21 the department.

22 (i) Duty of city.--If a city of the first class elects to
23 implement this section, the following provisions shall apply:

24 (1) The city may not use an automated bus lane
25 enforcement system unless there is posted an appropriate sign
26 in a conspicuous place before the area in which the automated
27 bus lane enforcement system is to be used notifying the
28 public that an automated bus lane enforcement system is in
29 use.

30 (2) Notwithstanding the provisions of §6109(g)(1), the

1 city shall designate or appoint the Southeastern Pennsylvania
2 Transportation Authority (SEPTA) as the system administrator
3 to supervise and coordinate the administration of notices of
4 violation issued under this section.

5 (3) The system administrator shall prepare a notice of
6 violation to the registered owner of a vehicle identified in
7 a recorded image produced by an automated bus lane
8 enforcement system as evidence of a violation of section
9 3309(3). The issuance of the notice of violation shall be
10 done by a police officer employed by the police department
11 with primary jurisdiction over the area where the violation
12 occurred or by a police officer employed by SEPTA. The notice
13 of violation shall have the following attached to it:

14 (i) a copy of the recorded image showing the
15 vehicle;

16 (ii) the registration number and state of issuance
17 of the vehicle registration;

18 (iii) the date, time and place of the alleged
19 violation;

20 (iv) notice that the violation is charged under
21 section 3309(3), as applies to a dedicated bus lane, for
22 a bus lane violation; and

23 (v) instructions for return of the notice of
24 violation, which shall read:

25 This notice shall be returned personally, by mail or by
26 an agent duly authorized in writing, within 30 days of
27 issuance. A hearing may be obtained upon the written
28 request of the registered owner.

29 (j) System administrator.--The following shall apply:

30 (1) The system administrator may hire and designate

1 personnel as necessary or contract for services to implement
2 this section.

3 (2) The system administrator shall process notices of
4 violation and penalties issued under this section.

5 (3) Not later than April 1 annually, the system
6 administrator shall submit an annual report to the
7 chairperson and the minority chairperson of the
8 Transportation Committee of the Senate and the chairperson
9 and minority chairperson of the Transportation Committee of
10 the House of Representatives. The report shall be considered
11 a public record under the Right-to-Know Law and include for
12 the prior year:

13 (i) The number of violations and fines issued and
14 data in the area.

15 (ii) A compilation of penalties paid and
16 outstanding.

17 (iii) The amount of money paid to a vendor or
18 manufacturer under this section.

19 (k) Notice to owner.--In the case of a violation involving a
20 motor vehicle registered under the laws of this Commonwealth,
21 the notice of violation shall be mailed within 30 days after the
22 commission of the violation or within 30 days after the
23 discovery of the identity of the registered owner, whichever is
24 later, and not thereafter to the address of the registered owner
25 as listed in the records of the department. In the case of motor
26 vehicles registered in jurisdictions other than this
27 Commonwealth, the notice of violation shall be mailed within 30
28 days after the discovery of the identity of the registered owner
29 to the address of the registered owner as listed in the records
30 of the official in the jurisdiction having charge of the

1 registration of the vehicle. A notice of violation under this
2 section shall be provided to an owner within 90 days of the
3 commission of the offense.

4 (l) Mailing of notice and records.--Notice of a violation
5 shall be sent by first class mail. A manual or automatic record
6 of mailing prepared by the system administrator in the ordinary
7 course of business shall be prima facie evidence of mailing and
8 shall be admissible in any judicial or administrative proceeding
9 as to the facts contained in it.

10 (m) Payment of fine.--The following shall apply:

11 (1) An owner to whom a notice of violation has been
12 issued may admit responsibility for the violation and pay the
13 fine provided in the notice.

14 (2) Payment shall be made personally, through an
15 authorized agent, electronically or by mailing both payment
16 and the notice of violation to the system administrator.
17 Payment by mail shall be made only by money order, credit
18 card or check made payable to the system administrator.

19 (3) Notwithstanding the provisions of section 6109(g)
20 (2), the system administrator shall remit the fine, less the
21 system administrator's operation and maintenance costs
22 necessitated by this section, to the city of the first class,
23 except that 75% of all net revenue shall be retained by the
24 system administrator and 25% of all net revenue shall be
25 deposited into a restricted receipts account to be
26 established in the Commonwealth Financing Authority to be
27 used exclusively for grants for small businesses within a
28 county of the first class.

29 (4) Payment of the established fine and applicable
30 penalties shall operate as a final disposition of the case.

1 (n) Hearing.--The following shall apply:

2 (1) An owner to whom a notice of violation has been
3 issued may, within 30 days of the mailing of the notice,
4 request a hearing to contest the liability alleged in the
5 notice. A hearing request shall be made by appearing before
6 the system administrator during regular office hours either
7 personally or by an authorized agent or by mailing a request
8 in writing.

9 (2) Upon receipt of a hearing request, the system
10 administrator shall in a timely manner schedule the matter
11 before a hearing officer. The hearing officer shall be
12 designated by the city of the first class. Written notice of
13 the date, time and place of hearing shall be sent by first
14 class mail to the owner.

15 (3) The hearing shall be conducted pursuant to 2 Pa.C.S.
16 Ch. 5 (relating to practice and procedure) and shall be
17 subject to appeal pursuant to 2 Pa.C.S. Ch. 7 (relating to
18 judicial review).

19 (o) Compensation to manufacturer or vendor.--If a city of
20 the first class has established an automated bus lane
21 enforcement system deployed as a means of promoting traffic
22 safety and the enforcement of the traffic laws of this
23 Commonwealth or the city, the compensation paid to the
24 manufacturer or vendor of the automated bus lane enforcement
25 system may not be based upon the number of traffic citations
26 issued or a portion or percentage of the fine generated by the
27 citations. The compensation paid to the manufacturer or vendor
28 of the equipment shall be based upon the value of the equipment
29 and the services provided or rendered in support of the
30 automated bus lane enforcement system.

1 (p) Revenue limitation.--A city of the first class may not
2 collect an amount equal to or greater than 2% of its annual
3 budget from the collection of revenue from the issuance and
4 payment of violations under this section.

5 (q) Expiration.--This section shall expire seven years from
6 its effective date.

7 Section 4. The Secretary of Transportation and the Chairman
8 of the Southeastern Pennsylvania Transportation Authority
9 (SEPTA) Board shall transmit notice to the Legislative Reference
10 Bureau for publication in the Pennsylvania Bulletin when the
11 automated bus lane enforcement system is operational along the
12 designated routes under 75 Pa.C.S. § 3371.

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