

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1410 Session of 2021

INTRODUCED BY FEE, SMITH, BROOKS, PICKETT, DIAMOND, WHEELAND, JAMES, RYAN, HICKERNELL, ZIMMERMAN, MENTZER, JONES, B. MILLER, MILLARD, KEEFER, HERRIN, GILLEN, SCHLOSSBERG, A. DAVIS AND MULLINS, MAY 14, 2021

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 22, 2021

AN ACT

1 Establishing the Weigh Station Preclearance Program; AND <--
2 providing for criteria for preclearance system and devices
3 and for data access.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Weigh Station
8 Preclearance Program Act.

9 Section 2. Definitions.

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

13 ~~"Department." The Department of Transportation of the <--
14 Commonwealth.~~

15 "Preclearance system provider." A provider of the
16 preclearance system under section 4(a).

17 "Program." The Weigh Station Preclearance Program

1 established under section 3(a).

2 "Weigh station." A roadside station where commercial
3 vehicles are required to stop for weight and safety inspections
4 by the ~~department or~~ Pennsylvania State Police. <--

5 Section 3. Establishment and operation of program.

6 (a) Establishment.--The ~~department, in conjunction with the~~ <--
7 Pennsylvania State Police, shall establish the Weigh Station <--
8 Preclearance Program in accordance with the commercial vehicle
9 information systems and networks electronic screening truck
10 inspection and weigh station preclearance standards authorized
11 by the Federal Motor Carrier Safety Administration.

12 (b) Operation.--The ~~department, in conjunction with the~~ <--
13 Pennsylvania State Police, shall operate the program at each <--
14 location where commercial vehicle enforcement is conducted. A
15 preclearance system provider's devices and platform shall be
16 used uniformly at each location where the program is operated in
17 accordance with section 4.

18 (c) Standards.--The ~~department, in conjunction with the~~ <--
19 Pennsylvania State Police, shall ~~set the~~ ESTABLISH standards for <--
20 the program in order to meet the needs of this Commonwealth and
21 conform with weigh station preclearance programs in other
22 states, including standards regarding safety history credential
23 status.

24 Section 4. Criteria for preclearance system and devices.

25 (a) Preclearance system.--The program shall be administered
26 by a preclearance system. The preclearance system shall meet all
27 of the following criteria:

28 (1) The preclearance system shall be GPS-based and be
29 able to be used at both fixed enforcement facilities and
30 mobile or remote locations.

1 (2) The preclearance system shall be broadly deployed
2 across the United States for interstate operability purposes
3 on the effective date of this section and be accessible by a
4 wide range of in-cab commercial radio services network
5 devices.

6 (b) Additional equipment.--Installation of additional
7 equipment within or adjacent to a roadway shall not be required
8 for the purpose of communication with devices operating within
9 the preclearance system under subsection (a).

10 (c) Software and hardware.--Computer software and hardware
11 that is necessary for the use of the preclearance system under
12 subsection (a) shall be made available at no cost to the
13 ~~department~~ or Pennsylvania State Police. The preclearance system <--
14 provider shall be responsible for all costs of operating and
15 maintaining the computer software and hardware. The computer
16 software and hardware shall meet all of the following criteria:

17 (1) The computer software and hardware shall meet the
18 requirements of the Federal Motor Carrier Safety
19 Administration for core compliance with the commercial
20 vehicle information systems and networks electronic screening
21 truck inspection and weigh station preclearance standards.

22 (2) In-vehicle equipment shall be operated in compliance
23 with applicable State law and regulations relating to hands
24 free devices and distracted driving.

25 (3) Preclearance messaging shall be transmitted and
26 received by the driver through electronic messaging within
27 the cab of the commercial vehicle.

28 Section 5. Data access.

29 The ~~department~~ PENNSYLVANIA STATE POLICE shall have <--
30 unrestricted access to roadside event data provided by the

1 preclearance system under section 4(a) as part of the program,
2 including real-time event data and real-time sensor data.

3 Section 6. Regulations.

4 The ~~department shall promulgate the~~ PENNSYLVANIA STATE POLICE <--
5 MAY ESTABLISH POLICIES, STANDARDS, rules and regulations AS <--
6 necessary to implement the provisions of this act, including
7 authorized devices that meet the requirements under section 4(c)
8 for use in the program.

9 SECTION 7. CONSULTATION. <--

10 THE PENNSYLVANIA STATE POLICE MAY CONSULT WITH THE DEPARTMENT
11 OF TRANSPORTATION AS NECESSARY FOR THE IMPLEMENTATION OF THIS
12 ACT.

13 Section 7 8. Effective date. <--

14 This act shall take effect in 180 days.