

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 382 Session of 2021

INTRODUCED BY LANGERHOLC, REGAN, DiSANTO, MENSCH, BARTOLOTTA, ROBINSON, BAKER, J. WARD, BROOKS, STEFANO, HUTCHINSON, DUSH, PITTMAN, GORDNER, MARTIN, AUMENT AND BROWNE, MARCH 9, 2021

AS AMENDED ON THIRD CONSIDERATION, APRIL 20, 2021

AN ACT

1 Amending Title 74 (Transportation) of the Pennsylvania
2 Consolidated Statutes, in public-private transportation
3 partnerships, further providing for definitions, for duties
4 of board and for operation of board; and voiding prior
5 initiatives of the Public-Private Transportation Partnership
6 Board.

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

9 Section 1. The definition of "public-private transportation
10 partnership agreement" in section 9102 of Title 74 of the
11 Pennsylvania Consolidated Statutes is amended and the section is
12 amended by adding a definition to read:

13 § 9102. Definitions.

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

17 \* \* \*

18 "Public-private transportation partnership agreement." A
19 contract for a transportation project which transfers the rights

1 for the use or control, in whole or in part, of a transportation  
2 facility by a public entity to a development entity for a  
3 definite term during which the development entity will provide  
4 the transportation project to the public entity in return for  
5 the right to receive all or a portion of the revenue generated  
6 from the use of the transportation facility, or other payment,  
7 such as [the following] ~~{transportation-related services}~~.[: <--

- 8 (1) Operations and maintenance.
- 9 (2) Revenue collection.
- 10 (3) User fee collection or enforcement.
- 11 (4) Design.
- 12 (5) Construction.
- 13 (6) Development and other activities with respect to
- 14 existing or new transportation facilities that enhance
- 15 traffic throughput, reduce congestion, improve safety or
- 16 otherwise manage or improve a transportation facility.
- 17 (7) Financing.] <--

18 \* \* \*

19 ~~"Transportation related service." A proposed or existing~~ <--  
20 ~~service offered by the department or a Commonwealth agency to~~  
21 ~~provide a product, permit or similar authorization in a~~  
22 ~~transaction for a resident or nonresident to move individuals or~~  
23 ~~property within this Commonwealth.~~

24 "TRANSPORTATION-RELATED SERVICE." ONLY THE FOLLOWING <--

25 SERVICES:

- 26 (1) OPERATIONS AND MAINTENANCE.
- 27 (2) REVENUE COLLECTION.
- 28 (3) USER FEE COLLECTION OR ENFORCEMENT.
- 29 (4) DESIGN.
- 30 (5) CONSTRUCTION.

1           (6) DEVELOPMENT AND OTHER ACTIVITIES WITH RESPECT TO  
2           EXISTING OR NEW TRANSPORTATION FACILITIES THAT ENHANCE  
3           TRAFFIC THROUGHPUT, REDUCE CONGESTION, IMPROVE SAFETY OR  
4           OTHERWISE MANAGE OR IMPROVE A TRANSPORTATION FACILITY.

5           (7) FINANCING.

6           ~~Section 2. Section 9104(a)(4) and (c) of Title 74 are~~           <--  
7           ~~amended to read:~~

8           SECTION 2. SECTION 9104(A)(2) AND (4) AND (C) OF TITLE 74           <--  
9           ARE AMENDED TO READ:

10          § 9104. Duties of board.

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

12                   \* \* \*

13                 (2) ADOPT GUIDELINES ESTABLISHING THE PROCEDURE BY WHICH <--  
14                 A PUBLIC ENTITY MAY SUBMIT A REQUEST FOR A PROPOSED  
15                 TRANSPORTATION PROJECT OR A PRIVATE ENTITY MAY SUBMIT AN  
16                 UNSOLICITED PLAN FOR A PROPOSED TRANSPORTATION PROJECT TO THE  
17                 BOARD.

18                   \* \* \*

19                 (4) Evaluate and, where the board finds that the  
20                 requests or plans for PROPOSED transportation projects are in <--  
21                 the best interests of the Commonwealth and a public entity,  
22                 approve the requests or plans for PROPOSED transportation           <--  
23                 projects[. The board shall approve a proposed transportation  
24                 project by adopting a resolution.] as provided under section  
25                 9105.

26                   \* \* \*

27                 [(c) General Assembly.--The following shall apply:

28                         (1) The General Assembly may, within 20 calendar days or  
29                         nine legislative days, whichever is longer, of the adoption  
30                         of the resolution under subsection (a)(4), pass a concurrent

1 resolution rescinding the approval of a transportation  
2 project if the transportation facility which is the subject  
3 of the transportation project is owned by the Commonwealth.

4 (2) If the General Assembly adopts the concurrent  
5 resolution within the time period under paragraph (1) by  
6 majority vote in both the Senate and the House of  
7 Representatives, the transportation project shall be deemed  
8 disapproved.

9 (3) If the General Assembly fails to adopt the  
10 concurrent resolution by majority vote in both the Senate and  
11 the House of Representatives within the time period under  
12 paragraph (1), the transportation project shall be deemed  
13 approved.]

14 Section 3. Section 9105(b) of Title 74 is amended and the  
15 section is amended by adding subsections to read:

16 § 9105. Operation of board.

17 \* \* \*

18 (b) Analysis.--The following shall apply:

19 (1) The department shall develop a detailed analysis of  
20 a request or recommendation for a PROPOSED transportation <--  
21 project prior to REQUESTING approval by the board. <--

22 (2) The analysis shall include the following:

23 (i) The exact location of the proposed  
24 transportation project.

25 (ii) The type of transportation facility or  
26 transportation-related service to be improved.

27 (iii) The estimated costs of the PROPOSED <--  
28 transportation project to the public entity.

29 (iv) The estimated length of the public-private  
30 transportation partnership agreement.

1           (v) The social, economic and environmental impacts  
2 of the PROPOSED transportation project. <--

3           ~~(vi) If the proposed transportation project will~~ <--  
4 ~~include a public private transportation partnership~~  
5 ~~agreement, include the estimated amount and type of user~~  
6 ~~fees.~~

7           (VI) IF THE PROPOSED TRANSPORTATION PROJECT REQUIRES <--  
8 A USER FEE, INCLUDE THE ESTIMATED AMOUNT FOR EACH USER  
9 GROUP AND TYPE OF USER FEE AS DESCRIBED UNDER SECTION  
10 9110(F) (RELATING TO PUBLIC-PRIVATE TRANSPORTATION  
11 PARTNERSHIP AGREEMENT).

12           (vii) Applicable Federal and State laws.

13           (VIII) ALTERNATIVE COURSES OF ACTION TO IMPROVE THE <--  
14 TRANSPORTATION FACILITY OR TRANSPORTATION-RELATED SERVICE  
15 WITHOUT A PUBLIC-PRIVATE TRANSPORTATION PARTNERSHIP AND  
16 THE ASSOCIATED RISKS OF IMPROVING THE TRANSPORTATION  
17 FACILITY OR TRANSPORTATION-RELATED SERVICE WITH A PUBLIC-  
18 PRIVATE TRANSPORTATION PARTNERSHIP.

19           (2.1) The department may conduct additional evaluations  
20 prior to the development of the analysis.

21           (3) The department shall post a copy of the analysis on  
22 the department's publicly accessible Internet website, submit  
23 the analysis to the board and the chairperson and minority  
24 chairperson of the Transportation Committee of the Senate and  
25 the chairperson and minority chairperson of the  
26 Transportation Committee of the House of Representatives and  
27 transmit notice of the analysis to the Legislative Reference  
28 Bureau for publication in the Pennsylvania Bulletin for 30  
29 days prior to any action by the board.

30           ~~(b.1) Public input. The department shall collect comments~~ <--

1 (B.1) PUBLIC INPUT.--THE FOLLOWING SHALL APPLY: <--

2 (1) THE DEPARTMENT SHALL COLLECT COMMENTS from the  
3 public on the proposed transportation project during a public  
4 comment period which shall commence with the publication of  
5 the notice in the Pennsylvania Bulletin of the analysis and  
6 shall continue for a period of not less than 30 days. Prior  
7 to any action by the board, the department shall post a copy  
8 of ~~the results~~ ALL SUBMITTED COMMENTS AND A SUMMARY AS <--  
9 PROVIDED UNDER PARAGRAPH (2) on the department's publicly  
10 accessible Internet website and ~~submit the results~~ PROVIDE <--  
11 THE SUBMITTED COMMENTS AND SUMMARY to the board and the  
12 chairperson and minority chairperson of the Transportation  
13 Committee of the Senate and the chairperson and minority  
14 chairperson of the Transportation Committee of the House of  
15 Representatives.

16 (2) THE SUMMARY UNDER PARAGRAPH (1) SHALL INCLUDE A <--  
17 DESCRIPTION OF THE PROPOSED TRANSPORTATION PROJECT, A COPY OF  
18 THE NOTICE THAT WAS PUBLISHED IN THE PENNSYLVANIA BULLETIN,  
19 THE TIME PERIOD THAT THE PUBLIC WAS ALLOWED TO PROVIDE INPUT,  
20 AN OVERVIEW OF HOW THE DEPARTMENT EQUITABLY SOLICITED INPUT  
21 FROM PERSONS AFFECTED BY THE PROPOSED TRANSPORTATION PROJECT  
22 AND A CHART OR GRAPH THAT ACCURATELY PORTRAYS ALL SUBMITTED  
23 COMMENTS, INCLUDING THE POSITIVE AND NEGATIVE PUBLIC INPUT,  
24 ON THE PROPOSED TRANSPORTATION PROJECT.

25 (b.2) Evaluation and approval.--The following shall apply:

26 (1) After consideration of the analysis and public  
27 input, if the board finds that the PROPOSED transportation <--  
28 project is in the best interests of the Commonwealth, it may  
29 approve the PROPOSED transportation project IN THE FORM OF A <--  
30 RESOLUTION.

1       ~~(2) The board shall approve a proposed transportation~~ <--  
2 ~~project by adopting a resolution with or without a user fee.~~  
3 APPROVAL OF A PROPOSED TRANSPORTATION PROJECT WITH OR WITHOUT <--  
4 A USER FEE SHALL BE IN THE FORM OF A RESOLUTION SIGNED BY THE  
5 CHAIRPERSON OF THE BOARD. A copy of the resolution shall be  
6 posted on the department's publicly accessible Internet  
7 website and shall be transmitted by the department to the  
8 following entities within 24 hours after approval:

9           ~~(i) The chairperson and minority chairperson of the~~  
10           Transportation Committee of the Senate and the  
11           chairperson and minority chairperson of the  
12           Transportation Committee of the House of Representatives.

13           ~~(ii) The Legislative Reference Bureau for~~  
14           publication in the Pennsylvania Bulletin.

15       ~~(b.3) Transportation projects without user fee. The~~ <--  
16 ~~following shall apply for a transportation project without a~~  
17 ~~user fee:~~

18           ~~(1) The General Assembly may pass a concurrent~~  
19 ~~resolution rescinding the approval of a transportation~~  
20 ~~project without a user fee if the transportation facility~~  
21 ~~which is the subject of the transportation project is owned~~  
22 ~~by the Commonwealth through the following procedure:~~

23           ~~(i) Either chamber of the General Assembly may~~  
24 ~~initiate a concurrent resolution under this paragraph. If~~  
25 ~~the chamber of origin passes a concurrent resolution, the~~  
26 ~~chamber of reference must within 10 calendar days or five~~  
27 ~~legislative days, pass the concurrent resolution. The~~  
28 ~~passage of a concurrent resolution by a majority vote in~~  
29 ~~both chambers may not collectively exceed 20 calendar~~  
30 ~~days or 10 legislative days of the resolution being~~

1 ~~published in the Pennsylvania Bulletin, whichever is~~  
2 ~~longer.~~

3 ~~(ii) If the period of 20 calendar days or 10~~  
4 ~~legislative days, whichever is longer, under subparagraph~~  
5 ~~(i) expires before a session of the General Assembly~~  
6 ~~adjourns sine die, the General Assembly shall have 20~~  
7 ~~calendar days or 10 legislative days, whichever is~~  
8 ~~longer, starting on the first day of succeeding session~~  
9 ~~of the General Assembly.~~

10 ~~(2) If the General Assembly adopts the concurrent~~  
11 ~~resolution within the time period under paragraph (1),~~  
12 ~~proceeded by presentment to the Governor, the transportation~~  
13 ~~project without a user fee shall be deemed disapproved.~~

14 ~~(3) If the General Assembly fails to adopt the~~  
15 ~~concurrent resolution within the time period under paragraph~~  
16 ~~(1), the transportation project without a user fee shall be~~  
17 ~~deemed approved and the public entity may proceed with the~~  
18 ~~public private transportation partnership agreement.~~

19 ~~(b.4) Transportation projects with user fee. The following~~  
20 ~~shall apply for a transportation project with a user fee:~~

21 ~~(1) If the approved transportation project includes a~~  
22 ~~user fee, the project shall be deemed disapproved unless the~~  
23 ~~General Assembly passes a concurrent resolution approving the~~  
24 ~~transportation project with a user fee.~~

25 ~~(2) The General Assembly may pass a concurrent~~  
26 ~~resolution approving a transportation project with a user fee~~  
27 ~~if the transportation facility which is the subject of the~~  
28 ~~transportation project is owned by the Commonwealth through~~  
29 ~~the following procedure:~~

30 ~~(i) Either chamber of the General Assembly may~~



~~initiate a concurrent resolution under this paragraph. If the chamber of origin passes a concurrent resolution, the chamber of reference must within 45 calendar days or 10 legislative days, pass the concurrent resolution. The passage of a concurrent resolution by a majority vote in both chambers may not collectively exceed 90 calendar days or 20 legislative days of the resolution being published in the Pennsylvania Bulletin, whichever is longer.~~

~~(ii) If the period of 90 calendar days or 20 legislative days, whichever is longer, under subparagraph (i) expires before a session of the General Assembly adjourns sine die, the General Assembly shall have 90 calendar days or 20 legislative days, whichever is longer, starting on the first day of succeeding session of the General Assembly.~~

~~(iii) If the General Assembly adopts the concurrent resolution within the time period under paragraph (i) or (ii), proceeded by presentment to the Governor, the transportation project with a user fee shall be deemed approved and the public entity may proceed with the public private transportation partnership agreement.~~

~~(iv) If the General Assembly fails to adopt the concurrent resolution within the time period under paragraph (i) or (ii), the transportation project with a user fee shall remain disapproved.~~

~~(v) Nothing in this section shall be construed to prevent a proposed transportation project with a user fee that was disapproved under subparagraph (iv) from being resubmitted to the board.~~

1 (B.3) TRANSPORTATION PROJECTS WITH A USER FEE.--THE  
2 FOLLOWING SHALL APPLY FOR A PROPOSED TRANSPORTATION PROJECT WITH  
3 A USER FEE:

4 (1) NO LATER THAN FIVE CALENDAR DAYS AFTER THE  
5 RESOLUTION IS PUBLISHED IN THE PENNSYLVANIA BULLETIN, THE  
6 DEPARTMENT SHALL TRANSMIT THE RESOLUTION TO THE GOVERNOR. THE  
7 GOVERNOR SHALL HAVE 10 CALENDAR DAYS TO APPROVE OR DISAPPROVE  
8 THE RESOLUTION. IF NO ACTION IS TAKEN ON THE RESOLUTION BY  
9 THE GOVERNOR WITHIN 10 CALENDAR DAYS OF RECEIPT OF THE  
10 RESOLUTION, THE RESOLUTION SHALL BE DEEMED APPROVED. IF THE  
11 GOVERNOR APPROVES THE RESOLUTION OR FAILS TO ACT, THE  
12 GOVERNOR SHALL, WITHIN 10 CALENDAR DAYS, TRANSMIT THE  
13 RESOLUTION TO THE SECRETARY OF THE SENATE AND THE CHIEF CLERK  
14 OF THE HOUSE OF REPRESENTATIVES FOR CONSIDERATION BY THE  
15 GENERAL ASSEMBLY. IF THE GOVERNOR DISAPPROVES THE RESOLUTION,  
16 THE OBJECTIONS OF THE GOVERNOR DISAPPROVING THE RESOLUTION  
17 SHALL BE TRANSMITTED TO THE DEPARTMENT WITHIN 10 CALENDAR  
18 DAYS.

19 (2) IF NO ACTION IS TAKEN ON THE RESOLUTION BY THE  
20 GENERAL ASSEMBLY WITHIN 20 CALENDAR DAYS OR 10 LEGISLATIVE  
21 DAYS, WHICHEVER IS LATER, OF RECEIPT OF THE RESOLUTION FROM  
22 THE GOVERNOR BY BOTH THE SECRETARY OF THE SENATE AND THE  
23 CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES, FIVE MEMBERS OF  
24 THE SENATE OR 25 MEMBERS OF THE HOUSE OF REPRESENTATIVES MAY  
25 PETITION THEIR RESPECTIVE PRESIDING OFFICER TO SCHEDULE A  
26 VOTE ON THE RESOLUTION. THE VOTE SHALL BE SCHEDULED TO OCCUR  
27 WITHIN 10 CALENDAR DAYS OR FIVE LEGISLATIVE DAYS, WHICHEVER  
28 IS LATER, OF THE PRESENTATION OF THE PETITION. EACH CHAMBER  
29 SHALL HAVE 20 CALENDAR DAYS OR 10 LEGISLATIVE DAYS, WHICHEVER  
30 IS LATER, TO INDEPENDENTLY PASS THE RESOLUTION. THE

1 RESOLUTION SHALL BE DISAPPROVED UNLESS BOTH CHAMBERS PASS THE  
2 RESOLUTION WITHIN THE TIME PERIOD PROVIDED UNDER THIS  
3 PARAGRAPH. IF THE GENERAL ASSEMBLY DISAPPROVES THE  
4 RESOLUTION, THE OBJECTIONS OF THE GENERAL ASSEMBLY  
5 DISAPPROVING THE RESOLUTION SHALL BE TRANSMITTED BY THE  
6 PRESIDING OFFICER OF EACH CHAMBER TO THE DEPARTMENT WITHIN 10  
7 CALENDAR DAYS. IF THE GENERAL ASSEMBLY APPROVES THE  
8 RESOLUTION, THE PUBLIC ENTITY MAY PROCEED WITH THE PUBLIC-  
9 PRIVATE TRANSPORTATION PARTNERSHIP AGREEMENT.

10 (3) IF THE GOVERNOR OR THE GENERAL ASSEMBLY DISAPPROVES  
11 A RESOLUTION AS PROVIDED UNDER THIS SUBSECTION, THE  
12 DEPARTMENT MAY, UPON RECEIVING APPROVAL FROM THE BOARD,  
13 SUBMIT AN AMENDED RESOLUTION UNDER PARAGRAPH (1). THE  
14 DEPARTMENT MAY ONLY SUBMIT ONE AMENDED RESOLUTION. IF THE  
15 AMENDED RESOLUTION IS DISAPPROVED, THE APPROVAL PROCESS SHALL  
16 START OVER AGAIN AS PROVIDED UNDER THIS CHAPTER.

17 (4) IF A TIME PERIOD UNDER PARAGRAPH (2) EXPIRES AFTER A  
18 SESSION OF THE GENERAL ASSEMBLY ADJOURNS SINE DIE, THE  
19 DEPARTMENT SHALL REINITIATE THE PROCESS UNDER PARAGRAPH (1)  
20 STARTING ON THE FIRST DAY OF THE SUCCEEDING SESSION OF THE  
21 GENERAL ASSEMBLY, EXCEPT THAT THE DEPARTMENT SHALL NOT BE  
22 REQUIRED TO REPUBLISH THE RESOLUTION IN THE PENNSYLVANIA  
23 BULLETIN.

24 (B.4) TRANSPORTATION PROJECTS WITHOUT A USER FEE.--THE  
25 FOLLOWING SHALL APPLY FOR A PROPOSED TRANSPORTATION PROJECT  
26 WITHOUT A USER FEE:

27 (1) NO LATER THAN FIVE CALENDAR DAYS AFTER THE  
28 RESOLUTION IS PUBLISHED IN THE PENNSYLVANIA BULLETIN, THE  
29 DEPARTMENT SHALL TRANSMIT THE RESOLUTION TO THE GOVERNOR. THE  
30 GOVERNOR SHALL HAVE 10 CALENDAR DAYS TO APPROVE OR DISAPPROVE

1 THE RESOLUTION. IF NO ACTION IS TAKEN ON THE RESOLUTION BY  
2 THE GOVERNOR WITHIN 10 CALENDAR DAYS OF RECEIPT OF THE  
3 RESOLUTION, THE RESOLUTION SHALL BE DEEMED APPROVED. IF THE  
4 GOVERNOR APPROVES THE RESOLUTION OR FAILS TO ACT, THE  
5 GOVERNOR SHALL, WITHIN 10 CALENDAR DAYS, TRANSMIT THE  
6 RESOLUTION TO THE SECRETARY OF THE SENATE AND THE CHIEF CLERK  
7 OF THE HOUSE OF REPRESENTATIVES FOR CONSIDERATION BY THE  
8 GENERAL ASSEMBLY. IF THE GOVERNOR DISAPPROVES THE RESOLUTION,  
9 THE OBJECTIONS OF THE GOVERNOR DISAPPROVING THE RESOLUTION  
10 SHALL BE TRANSMITTED TO THE DEPARTMENT WITHIN 10 CALENDAR  
11 DAYS.

12 (2) IF NO ACTION IS TAKEN ON THE RESOLUTION BY THE  
13 GENERAL ASSEMBLY WITHIN 20 CALENDAR DAYS OR 10 LEGISLATIVE  
14 DAYS, WHICHEVER IS LATER, OF RECEIPT OF THE RESOLUTION FROM  
15 THE GOVERNOR BY BOTH THE SECRETARY OF THE SENATE AND THE  
16 CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES, FIVE MEMBERS OF  
17 THE SENATE OR 25 MEMBERS OF THE HOUSE OF REPRESENTATIVES MAY  
18 PETITION THEIR RESPECTIVE PRESIDING OFFICER TO SCHEDULE A  
19 VOTE ON THE RESOLUTION. THE VOTE SHALL BE SCHEDULED TO OCCUR  
20 WITHIN 10 CALENDAR DAYS OR FIVE LEGISLATIVE DAYS, WHICHEVER  
21 IS LATER, OF THE PRESENTATION OF THE PETITION. EACH CHAMBER  
22 SHALL HAVE 20 CALENDAR DAYS OR 10 LEGISLATIVE DAYS, WHICHEVER  
23 IS LATER, TO INDEPENDENTLY PASS THE RESOLUTION. THE  
24 RESOLUTION SHALL BE DEEMED APPROVED UNLESS BOTH CHAMBERS VOTE  
25 TO DISAPPROVE THE RESOLUTION IN THE TIME PERIOD UNDER THIS  
26 PARAGRAPH. IF THE GENERAL ASSEMBLY DISAPPROVES THE  
27 RESOLUTION, THE OBJECTIONS OF THE GENERAL ASSEMBLY  
28 DISAPPROVING THE RESOLUTION SHALL BE TRANSMITTED BY THE  
29 PRESIDING OFFICER OF EACH CHAMBER TO THE DEPARTMENT WITHIN 10  
30 CALENDAR DAYS. IF THE GENERAL ASSEMBLY APPROVES THE

1 RESOLUTION, THE PUBLIC ENTITY MAY PROCEED WITH THE PUBLIC-  
2 PRIVATE TRANSPORTATION PARTNERSHIP AGREEMENT.

3 (3) IF THE GOVERNOR OR THE GENERAL ASSEMBLY DISAPPROVES  
4 A RESOLUTION AS PROVIDED UNDER THIS SUBSECTION, THE  
5 DEPARTMENT MAY, UPON RECEIVING APPROVAL FROM THE BOARD,  
6 SUBMIT AN AMENDED RESOLUTION UNDER PARAGRAPH (1). THE  
7 DEPARTMENT MAY ONLY SUBMIT ONE AMENDED RESOLUTION. IF THE  
8 AMENDED RESOLUTION IS DISAPPROVED, THE APPROVAL PROCESS SHALL  
9 START OVER AGAIN AS PROVIDED UNDER THIS CHAPTER.

10 (4) IF A TIME PERIOD UNDER PARAGRAPH (2) EXPIRES AFTER A  
11 SESSION OF THE GENERAL ASSEMBLY ADJOURNS SINE DIE, THE  
12 DEPARTMENT SHALL REINITIATE THE PROCESS UNDER PARAGRAPH (1)  
13 STARTING ON THE FIRST DAY OF THE SUCCEEDING SESSION OF THE  
14 GENERAL ASSEMBLY, EXCEPT THAT THE DEPARTMENT SHALL NOT BE  
15 REQUIRED TO REPUBLISH THE RESOLUTION IN THE PENNSYLVANIA  
16 BULLETIN.

17 \* \* \*

18 Section 4. The amendment of 74 Pa.C.S. § 9105 shall apply to  
19 resolutions considered after October 31, 2020, by the Public-  
20 Private Transportation Partnership Board. Any resolution  
21 considered after October 31, 2020, and prior to the effective  
22 date of this section by the Public-Private Transportation  
23 Partnership Board, including the resolution authorizing the  
24 PennDOT Pathways Major Bridge P3 Initiative, shall be void and  
25 must be reconsidered by the Public-Private Transportation  
26 Partnership Board.

27 Section 5. This act shall take effect immediately.