

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1284 Session of 2023

INTRODUCED BY NEILSON, BULLOCK, MADDEN, HOHENSTEIN, McNEILL, SANCHEZ, SOLOMON, FIEDLER, PARKER, WAXMAN, KHAN, KENYATTA, WEBSTER AND TAKAC, MAY 31, 2023

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 22, 2023

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in rules of the road in general, further providing
3 for enforcement of failure to stop for school bus with
4 flashing red lights, FOR AUTOMATED SPEED ENFORCEMENT SYSTEMS <--
5 IN ACTIVE WORK ZONES and for pilot program for automated
6 speed enforcement system on designated highway and providing
7 for pilot program for automated speed enforcement systems in
8 designated school zones.

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

11 Section 1. Sections 3345.1, 3369(B)(1) AND (2) and 3370 <--
12 heading, (a), (b), (d)(2), (j)(3) introductory paragraph, (n)(2)
13 and (q) of Title 75 of the Pennsylvania Consolidated Statutes
14 are amended to read:

15 § 3345.1. Enforcement of failure to stop for school bus with
16 flashing red lights.

17 (a) General rule.--A school entity may install and operate a
18 side stop signal arm enforcement system for the purpose of
19 enforcing [the provisions of section 3345 (relating to meeting
20 or overtaking school bus) as reported under section 3345(a.1).]

1 this section.

2 (a.1) Violation and liability.--

3 (1) A motor vehicle meeting or overtaking a school bus  
4 stopped on a highway or trafficway when the red signal lights  
5 on the school bus are flashing and the side stop signal arms  
6 are activated as described in section 3345 (relating to  
7 meeting or overtaking school bus) is a violation of this  
8 section.

9 (2) The owner of a motor vehicle that violates paragraph  
10 (1) shall be liable for the penalty imposed under subsection  
11 (c), unless the owner is convicted of a violation of section  
12 3345 or has a defense under subsection (f). For the purposes  
13 of this section, the lessee of a motor vehicle shall be  
14 considered the owner of a leased vehicle.

15 (b) Applicability.--

16 [(1) Except as provided in paragraph (2), this section  
17 shall apply to an owner of a motor vehicle meeting or  
18 overtaking a school bus stopped on a highway or trafficway  
19 when the red signal lights on the school bus are flashing and  
20 the side stop signal arms are activated as described in  
21 section 3345.]

22 (2) Nothing in this section shall supersede the  
23 provisions of:

24 (i) Section 3105(h) (relating to drivers of  
25 emergency vehicles).

26 (ii) Section 3345 (c) or (d).

27 (c) [Liability] Penalty.--For each violation of [section  
28 3345 enforced under] this section, the owner of the motor  
29 vehicle shall be [liable] subject to a penalty as follows:

30 (1) The penalty for the violation shall be a [civil

1 penalty with a] fine of \$300. The fine shall be distributed  
2 as follows:

3 (i) \$250 to the school district where the violation  
4 occurred, which shall be utilized for the installation,  
5 administration or maintenance of side stop signal arm  
6 enforcement systems, including through a system  
7 administrator contracted with the school district, on  
8 school buses;

9 (ii) \$25 to the primary police department that  
10 reviewed the evidence package [to determine the violation  
11 occurred] as required under subsection (h.2); and

12 (iii) \$25 to the School Bus Safety Grant Program  
13 Account.

14 (1.1) The fine under paragraph (1) shall not be subject  
15 to 42 Pa.C.S. § 3571 (relating to Commonwealth portion of  
16 fines, etc.) or 3573 (relating to municipal corporation  
17 portion of fines, etc.).

18 [(2) A rebuttable presumption shall exist that the owner  
19 of the vehicle was the driver at the time of the alleged  
20 violation.]

21 (3) For each violation under this section, the owner of  
22 the vehicle shall be liable for the fine imposed unless the  
23 owner is convicted of the same violation under section 3345  
24 or has a defense under subsection (f).]

25 (4) A violation under this section shall not:

26 (i) be deemed a criminal conviction;

27 (ii) be made part of the operating record of the  
28 individual upon whom the penalty is imposed under section  
29 1535 (relating to schedule of convictions and points);

30 (iii) be the subject of merit rating for insurance

1 purposes; or

2 (iv) authorize imposition of surcharge points in the  
3 provision of motor vehicle insurance coverage.

4 (d) Certificate as evidence.--A certificate, or a facsimile  
5 of a certificate, based upon inspection of recorded images  
6 produced by a side stop signal arm enforcement system and sworn  
7 to or affirmed by a [police officer] primary police department  
8 shall be prima facie evidence of the facts contained in it. The  
9 school entity, the system administrator or the contracted  
10 company that provides pupil transportation must include written  
11 documentation that the side stop signal arm enforcement system  
12 was operating correctly at the time of the alleged violation. A  
13 recorded image evidencing a violation of this section [3345]  
14 shall be admissible in any judicial or administrative proceeding  
15 to adjudicate the liability for the violation.

16 (e) Limitations.--

17 (1) (i) Notwithstanding any other provision of law,  
18 equipment deployed as part of a side stop signal arm  
19 enforcement system as provided under this section must be  
20 incapable of automated or user-controlled remote  
21 surveillance by means of recorded video images.

22 (ii) Recorded images collected as part of the side  
23 stop signal arm enforcement system may only record  
24 violations of this section [3345] and may not be used for  
25 any other surveillance purposes, except as permitted  
26 under subsection (1.1) and section 3345(a.1).

27 (iii) Restrictions under this paragraph shall not be  
28 deemed to preclude a court of competent jurisdiction from  
29 issuing an order directing that the information be  
30 provided to law enforcement officials if the information

1 is reasonably described and is requested solely in  
2 connection with a criminal law enforcement action.

3 (1.1) (i) To the extent practical, an automated side  
4 stop signal arm enforcement system shall use necessary  
5 technologies to ensure that photographs or recorded video  
6 images produced by the system shall not identify the  
7 driver, the passengers or the contents of the motor  
8 vehicle.

9 (ii) No [notice of liability issued under] violation  
10 of this section may be dismissed solely because a  
11 photograph or recorded video image allows for the  
12 identification of the driver, passengers or contents of  
13 the motor vehicle as long as a reasonable effort has been  
14 made to comply with this paragraph.

15 (2) (i) Notwithstanding any other provision of law,  
16 information prepared under this section and information  
17 relating to violations of [section 3345 enforced under]  
18 this section which [is] are kept by the system  
19 administrator, school entity, contracted company that  
20 provides pupil transportation or primary police  
21 department [of the police officer having the authority to  
22 exercise police power in the area where the violation  
23 occurred], its authorized agents or employees, including  
24 recorded images, written records, reports or facsimiles,  
25 names, addresses and the number of violations under this  
26 section, shall be [for the exclusive use of the  
27 department of the police officer having the authority to  
28 exercise police power in the area where the violation  
29 occurred, its authorized agents or employees and law  
30 enforcement officials] exclusively used for the purpose

1 of [discharging their duties under] enforcing this  
2 section through side stop signal arm enforcement systems.

3 (ii) The information shall not be deemed a public  
4 record under the act of February 14, 2008 (P.L.6, No.3),  
5 known as the Right-to-Know Law.

6 (iii) The information may be discoverable by court  
7 order or otherwise and may be offered in evidence in any  
8 action or proceeding which is directly related to a  
9 violation of [section 3345 enforced under] this section  
10 or any other violation in connection with a criminal law  
11 enforcement action.

12 (3) Images obtained through the use of a side stop  
13 signal arm enforcement system shall be destroyed within one  
14 year of final disposition of the recorded event. [The vendor  
15 of a side stop signal arm enforcement system] A system  
16 administrator contracted with a school entity shall notify  
17 the school entity by written notice in accordance with this  
18 section that the records have been destroyed.

19 (4) Notwithstanding any other provision of law,  
20 registered motor vehicle owner information obtained as a  
21 result of the operation of a side stop signal arm enforcement  
22 system shall not be the property of the [manufacturer or  
23 vendor of the] system administrator and may not be used for  
24 any purpose other than prescribed in this section.

25 (5) A violation of this subsection shall constitute a  
26 misdemeanor of the third degree punishable by a \$500 fine.  
27 Each violation shall constitute a separate and distinct  
28 offense.

29 (f) Defenses.--

30 [(1) It shall be a defense to a prosecution using a side

1 stop signal arm enforcement system for a violation under  
2 section 3345 that the person named in the citation was not  
3 operating the vehicle at the time of the violation. The  
4 person shall be required to submit evidence to the court that  
5 the person was not the driver at the time of the alleged  
6 violation.

7 (2) The person named in the citation shall not be  
8 required to identify the actual driver of the vehicle at the  
9 time the violation occurred.]

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

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

26 (5) 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 motor vehicle at the time of the  
29 offense.

30 (6) It shall be a defense to a violation under this

1 section that the device being used under this section was not  
2 in compliance with the department's regulations with respect  
3 to testing for accuracy, certification or calibration.

4 (g) [Approval] Agreements.--

5 (1) A school entity may enter into an agreement with a  
6 [private vendor or manufacturer to provide a side stop signal  
7 arm enforcement system on each bus within its fleet, whether  
8 owned, contracted or leased, up to and including the  
9 installation, operation and maintenance of the systems.]  
10 system administrator to enforce this section through a side  
11 stop signal arm enforcement system.

12 (2) Except as otherwise provided, an agreement under  
13 [this section] paragraph (1) shall take effect in a school  
14 entity by vote of the local board of school directors. The  
15 meeting to consider approval of a side stop signal arm  
16 enforcement system shall be properly noticed under 65 Pa.C.S.  
17 Ch. 7 (relating to open meetings).

18 (3) A school entity shall, prior to the enforcement of  
19 this section through a side stop signal arm enforcement  
20 system, enter into an intergovernmental agreement with a  
21 primary police department to fulfill the requirements of  
22 subsection (h.2). Nothing in this paragraph shall be  
23 construed to require a primary police department to enter  
24 into an intergovernmental agreement with a school entity.

25 (4) Compensation under an agreement authorized by this  
26 section shall not require a minimum or maximum number of  
27 violations to be issued that would impact the compensation to  
28 the system administrator.

29 (5) The school entity, or the system administrator on  
30 the school entity's behalf, shall provide notice through a



1 publicly accessible Internet website that provides program  
2 information, number of equipped systems, program questions  
3 and system administrator processing information. The notice  
4 on the website shall remain publicly accessible throughout  
5 the period of use. If the system administrator is providing  
6 the notice on the school entity's behalf, the notice must  
7 identify the school entity.

8 (6) The school entity, or the system administrator on  
9 the school entity's behalf, shall establish an electronic  
10 system where all violations can be viewed by the primary  
11 police department and the hearing officer as specified in  
12 subsection (e).

13 (7) The department may audit a school entity or system  
14 administrator to ensure compliance with this section as  
15 determined by the department.

16 (h) [Duty of manufacturer or vendor] Submission of violation  
17 information.--A [manufacturer or vendor of side stop signal arm  
18 enforcement systems] school entity, or a system administrator on  
19 the school entity's behalf, shall submit the following  
20 information regarding a violation of this section to the [police  
21 or] primary police department:

22 (1) A copy of the recorded image showing the motor  
23 vehicle.

24 (2) The license plate number and state of issuance of  
25 the motor vehicle.

26 (3) The date, time and place of the alleged violation.

27 [(h.1) Duty of school district.--A school district may enter  
28 into an intergovernmental agreement with the primary police  
29 department with authority to issue violations using an automated  
30 side stop signal arm enforcement system. The primary police

1 department is the police department in any municipality in which  
2 the school district is located. If a municipality in which the  
3 school district where the violation occurred is located does not  
4 have its own police department, the school district may petition  
5 the Pennsylvania State Police for review of the evidence package  
6 from the automated side stop signal arm enforcement system.]

7 (4) Not later than July 1 annually, the school entity,  
8 or the system administrator on the school entity's behalf,  
9 shall submit a report to the department and the Pennsylvania  
10 State Police for the preceding calendar year. The information  
11 shall be compiled by the department and the Pennsylvania  
12 State Police into a report to be jointly submitted to the  
13 chairperson and minority chairperson of the Transportation  
14 Committee of the Senate and the chairperson and minority  
15 chairperson of the Transportation Committee of the House of  
16 Representatives by no later than December 31 annually. The  
17 report shall be a public record under the Right-to-Know Law  
18 and include:

19 (i) The name of the system administrator.

20 (ii) The number of school buses equipped with a side  
21 stop signal arm enforcement system.

22 (iii) The number of notices of violation issued.

23 (iv) The amount of fines imposed and collected.

24 (v) The amounts paid under agreements authorized by  
25 this section for program operations and maintenance.

26 (vi) Identification and results of contested  
27 violations.

28 (vii) Use of additional revenue funds from the  
29 program.

30 (h.2) [Duty of police and police department.--Police

1 officers and police departments enforcing violations of section  
2 3345 and using automated side stop signal arm enforcement  
3 systems shall:] Police review required.--Upon receipt of  
4 violation information under subsection (h), a primary police  
5 department shall:

6 (1) Review submitted evidence [from the manufacturer or  
7 vendor of a system] to determine if there is sufficient  
8 evidence that a violation under this section [3345] occurred  
9 and electronically certify the notice of violation.

10 (2) Provide information to [a] the school [district]  
11 entity or a system administrator on the school entity's  
12 behalf related to the [police or] primary police department's  
13 capacity to view and authorize the notice of violation.

14 [(i) (Reserved).

15 (i.1) Notice of violation, fines and contest.--The following  
16 shall apply:

17 (1) The following shall apply to notice of violation:

18 (i) In the case of a violation involving a vehicle  
19 registered under the laws of this Commonwealth, the  
20 notice of violation must be mailed within 30 days after  
21 the commission of the violation or within 30 days after  
22 the discovery of the identity of the registered owner,  
23 whichever is later, and not thereafter to the address of  
24 the registered owner as listed in the records of the  
25 department.

26 (ii) In the case of vehicles registered in  
27 jurisdictions other than this Commonwealth, the notice of  
28 violation must be mailed within 30 days after the  
29 discovery of the identity of the registered owner and not  
30 thereafter to the address of the registered owner as

1 listed in the records of the official in the jurisdiction  
2 having charge of the registration of the vehicle.

3 (iii) A notice of violation under this section must  
4 be provided to an owner within 90 days of the commission  
5 of the offense.

6 (iv) The notice of violation shall have attached to  
7 it a copy of the recorded image showing the vehicle; the  
8 registration number and state of issuance of the vehicle  
9 registration; the date, time and place of the alleged  
10 violation; that the violation charged is under section  
11 3345 and instructions for return of the notice of  
12 violation; and instructions for how to request a hearing  
13 with the magisterial district judge for the purpose of  
14 contesting liability or notice.

15 (2) The following shall apply to payment of a fine:

16 (i) An owner may admit responsibility for the  
17 violation and pay the fine as indicated on the notice of  
18 violation.

19 (ii) Payment of the fine shall operate as a final  
20 disposition of the civil penalty.

21 (iii) If payment is not received or the owner has  
22 not contested liability within 30 days of original  
23 notice, the police department may turn the matter over to  
24 the Magisterial District Judge where the violation  
25 occurred. The Magisterial District Judge may assess  
26 liability upon the owner for failure to pay the fine or  
27 contest liability.

28 (3) The following shall apply to contesting liability or  
29 notice:

30 (i) An owner to whom a notice of violation has been

1 issued may, within 30 days of the mailing of the notice,  
2 contest the liability alleged in the notice of violation  
3 by requesting a hearing with the magisterial district  
4 judge where the violation occurred and completing the  
5 payment of applicable civil filing fees.

6 (ii) The primary police department shall file the  
7 notice of violation and supporting documents with the  
8 magisterial district judge where the violation occurred  
9 and the court shall hear and decide the matter.]

10 (i.2) Notice of violation.--

11 (1) Upon certification from a primary police department  
12 that a violation of this section has occurred as required by  
13 subsection (h.2), a school entity or a system administrator  
14 on the school entity's behalf shall initiate an action to  
15 enforce this section by sending an administrative notice of  
16 violation to the registered owner of the motor vehicle  
17 identified by a side stop signal arm enforcement system as  
18 violating this section.

19 (2) The notice of violation shall include all of the  
20 following:

21 (i) A copy of the recorded image showing the motor  
22 vehicle.

23 (ii) The registration number and state of issuance  
24 of the motor vehicle registration.

25 (iii) The date, time and place of the alleged  
26 violation.

27 (iv) Certification of the alleged violation from the  
28 primary police department and written documentation that  
29 the side stop signal arm enforcement system was operating  
30 correctly at the time of the alleged violation as

1 required under subsection (d).

2 (v) Notice that the owner is charged with a  
3 violation of this section.

4 (vi) Instructions for return of the notice of  
5 violation and payment of the fine under subsection (i.3).

6 (vii) Instructions for contesting the violation  
7 under subsection (i.4).

8 (viii) A statement that a violation under this  
9 section:

10 (A) is not deemed a criminal conviction;

11 (B) will not be made part of the operating  
12 record of the individual upon whom the violation of  
13 this section is being imposed;

14 (C) will not be used to determine a merit rating  
15 for insurance purposes; and

16 (D) does not authorize the imposition of  
17 surcharge points in the provision of motor vehicle  
18 insurance coverage.

19 (3) A notice of violation shall be sent by first class  
20 mail as follows:

21 (i) In the case of a violation involving a motor  
22 vehicle registered under the laws of this Commonwealth,  
23 the notice of violation must be mailed within 30 days  
24 after the commission of the violation or within 30 days  
25 after the discovery of the identity of the registered  
26 owner, whichever is later, and not thereafter to the  
27 address of the registered owner listed in the records of  
28 the department.

29 (ii) In the case of motor vehicles registered in  
30 jurisdictions other than this Commonwealth, the notice of

1 violation must be mailed within 30 days after the  
2 discovery of the identity of the registered owner and not  
3 thereafter to the address of the registered owner as  
4 listed in the records of the official in the jurisdiction  
5 having charge of the registration of the motor vehicle.

6 (iii) A notice of violation under this section shall  
7 be invalid unless provided to the registered owner within  
8 90 days of the commission of the violation.

9 (iv) A manual or automatic record of mailing  
10 prepared by a school entity or a system administrator in  
11 the ordinary course of business shall be prima facie  
12 evidence of mailing and shall be admissible in a judicial  
13 or administrative proceeding as to the facts contained in  
14 the notice of violation.

15 (i.3) Payment of fine.--Payment of the fine shall be as  
16 follows:

17 (1) An owner may admit responsibility for the violation  
18 and pay the fine provided in the notice of violation  
19 personally, through an authorized agent, electronically or by  
20 mailing both the payment and notice of violation to the  
21 school entity, or to a system administrator on the school  
22 entity's behalf.

23 (2) Payment of the fine shall operate as a final  
24 disposition of the violation of this section.

25 (3) If payment is not received within 90 days of mailing  
26 of the notice of violation, the school entity or a system  
27 administrator on the school entity's behalf may turn the  
28 matter over to applicable credit collection agencies.

29 (i.4) Contest of violation.--The procedure for contesting a  
30 violation of this section shall be as follows:

1       (1) An owner may, within 30 days of the mailing of the  
2 notice of violation, request a hearing to contest liability  
3 either personally or by an authorized agent or by mailing a  
4 request in writing on the prescribed form or electronically.  
5 A hearing to contest liability may be in person or be  
6 conducted through live-stream synchronous video conferencing  
7 or similar virtual presence technology and shall be only at  
8 the locations and times set by school entity or the system  
9 administrator on the school entity's behalf.

10       (2) Upon receipt of a hearing request, the school entity  
11 or the system administrator on the school entity's behalf  
12 shall in a timely manner schedule the matter before a hearing  
13 officer designated by the department. Written notice of the  
14 date, time and place of hearing shall be presented or sent by  
15 first class mail to the owner.

16       (3) The hearing shall be informal and the rules of  
17 evidence shall not apply. The decision of the hearing officer  
18 shall be final, subject to the right of the owner to appeal  
19 the decision under paragraph (4).

20       (4) If the owner requests in writing an appeal of the  
21 decision of the hearing officer, the school entity or the  
22 system administrator on the school entity's behalf shall file  
23 the notice of violation and supporting documents with the  
24 office of the magisterial district judge for the magisterial  
25 district where the violation occurred, and the magisterial  
26 district judge shall hear and decide the matter de novo. A  
27 magisterial district judge shall be restricted to finding an  
28 owner liable or not liable for violating this section, and  
29 shall not assign damages to an owner or otherwise impose  
30 penalties on primary police departments, police officers,



1 school entities or system administrators.

2 (5) The school entity or system administrator on the  
3 school entity's behalf shall reimburse the department for the  
4 actual cost of the hearing officer designated under paragraph  
5 (2).

6 (j) Department approval.--

7 (1) No side stop signal arm enforcement system may be  
8 used without the approval of the department, which shall have  
9 the authority to promulgate regulations for the certification  
10 and use of such systems.

11 (2) Any system installed prior to the effective date of  
12 this paragraph shall obtain department approval within six  
13 months of the effective date of the temporary regulations  
14 promulgated under paragraph (3).

15 (3) In order to facilitate the prompt implementation of  
16 this section, regulations promulgated by the department under  
17 this section during the two years following the effective  
18 date of this section shall be deemed temporary regulations,  
19 which shall expire no later than [five] seven years following  
20 the effective date of this section or upon promulgation of  
21 final regulations. The temporary regulations shall not be  
22 subject to:

23 (i) Sections 201, 202, 203, 204 and 205 of the act  
24 of July 31, 1968 (P.L.769, No.240), referred to as the  
25 Commonwealth Documents Law.

26 (ii) The act of June 25, 1982 (P.L.633, No.181),  
27 known as the Regulatory Review Act.

28 (iii) Section 204(b) of the act of October 15, 1980  
29 (P.L.950, No.164), known as the Commonwealth Attorneys  
30 Act.

1 (k) School Bus Safety Grant Program.--

2 (1) The School Bus Safety Grant Program Account is  
3 established as a restricted account in the General Fund.  
4 Money in the account is appropriated on a continuing basis to  
5 the department for grants under this subsection.

6 (2) The surcharge established under section 3345(j) and  
7 the portion of the fine established under subsection (c)(1)  
8 (iii) shall be deposited into the account and shall be used  
9 by the department to implement the School Bus Safety Grant  
10 Program[, which is established to promote and increase school  
11 bus safety, education and training throughout this  
12 Commonwealth]. The department shall award school bus safety  
13 grants on a competitive basis[.] for the following purposes:

14 (i) To promote and increase school bus safety,  
15 education and training throughout this Commonwealth.

16 (ii) To reimburse or pay for, in whole or in part,  
17 education, training and other associated costs related to  
18 the issuance of a commercial learner's permit, commercial  
19 driver's license or school bus endorsement by the  
20 department to an individual for the purpose of driving a  
21 school bus in this Commonwealth.

22 (3) The department may pay any actual administrative  
23 costs arising from the administration of this section out of  
24 the fines deposited into the account. [Independent school bus  
25 contractors and school entities are eligible for the grant.]  
26 The department shall develop a uniform application process  
27 and regulations to administer the grant program.

28 (4) Independent school bus contractors and school  
29 entities are eligible for grants under this subsection.

30 (1) Contracted companies.--

1 (1) No contracted company that provides pupil  
2 transportation shall be liable if a side stop signal arm  
3 enforcement system is vandalized or otherwise malfunctions.

4 (2) Nothing in this section shall be construed to  
5 require a contracted company that provides pupil  
6 transportation to take a school bus out of service due to a  
7 nonfunctioning side stop signal arm enforcement system,  
8 except that a contracted company shall allow the  
9 [manufacturer or vendor of the side stop signal arm  
10 enforcement system] school entity or a system administrator  
11 on the school entity's behalf access to the school bus for  
12 the purpose of repairing and maintaining a side stop signal  
13 arm enforcement system when the school bus is not in service  
14 at a time mutually agreeable to the contractor and [vendor]  
15 school entity or a system administrator on the school  
16 entity's behalf.

17 (3) Independent school bus contractors shall not be held  
18 responsible for costs associated with the side stop signal  
19 arm enforcement system, including, but not limited to,  
20 installation, maintenance, repair, replacement or removal of  
21 the system.

22 (1.1) Construction.--Nothing in this section shall be  
23 construed to prohibit:

24 (1) A school entity from supplying information captured  
25 by a side stop signal arm enforcement system, including  
26 photographs or recorded video images, with a written report  
27 submitted by an operator of a school bus to a police officer  
28 under section 3345(a.1).

29 (2) Information captured by a side stop signal arm  
30 enforcement system from being admissible in a judicial

1 proceeding adjudicating a violation of section 3345.

2 (m) Definitions.--As used in this section, the following  
3 words and phrases shall have the meanings given to them in this  
4 subsection unless the context clearly indicates otherwise:

5 "Local board of school directors." A board of directors or  
6 other governing authority of a school entity.

7 ["Manufacturer" or "vendor." A company that creates, owns or  
8 has a license or permission to sell, lease or distribute a side  
9 stop signal arm enforcement system.]

10 "Primary police department." Either of the following:

11 (1) The local police department of the municipality in  
12 which a school entity is located if the municipality has a  
13 police department with authority to issue citations for  
14 violations of this title.

15 (2) The Pennsylvania State Police if the municipality in  
16 which a school entity is located does not have a police  
17 department with authority to issue citations for violations  
18 of this title.

19 "Pupil transportation." The transport of resident pupils of  
20 a school district to and from preprimary, primary or secondary  
21 schools and students to or from public, private or parochial  
22 schools. The term does not include transportation for field  
23 trips.

24 "School entity." A school district, area career and  
25 technical school, intermediate unit, charter school, regional  
26 charter school or cyber charter school.

27 "Side stop signal arm enforcement system" or "system." A  
28 camera system installed on a school bus with two or more camera  
29 sensors and computers that produce recorded video and two or  
30 more film or digital photographic still images of a motor

1 vehicle being used or operated in a manner that violates this  
2 section [3345].

3 "Side stop signal arms." As described in section 4552(b.1)  
4 (relating to general requirements for school buses).

5 "System administrator." A person that creates, owns or has a  
6 license or permission to sell, lease, distribute or administer a  
7 side stop signal arm enforcement system that, consistent with  
8 the requirements of this section, is contracted by a school  
9 entity to:

10 (1) Provide for the installation, operation and  
11 maintenance of a side stop signal arm enforcement system on  
12 one or more school buses within a school entity's fleet,  
13 regardless of whether a school bus is owned, contracted or  
14 leased by the school entity.

15 (2) Administer the enforcement of a violation of this  
16 section through a side stop signal arm enforcement system on  
17 a school entity's behalf as permitted by this section,  
18 including maintaining and transmitting records, mailing  
19 violation notices, processing violations and collecting fines  
20 and administering contests of violations.

21 § 3369. AUTOMATED SPEED ENFORCEMENT SYSTEMS IN ACTIVE WORK <--  
22 ZONES.

23 \* \* \*

24 (B) APPLICABILITY.--THIS SECTION SHALL APPLY TO FEDERAL AID  
25 HIGHWAYS ONLY UNDER THE JURISDICTION OF THE DEPARTMENT AND THE  
26 PENNSYLVANIA TURNPIKE COMMISSION. AN AUTOMATED SPEED ENFORCEMENT  
27 SYSTEM MAY NOT BE USED UNLESS:

28 (1) AT LEAST TWO APPROPRIATE WARNING SIGNS ARE  
29 CONSPICUOUSLY PLACED BEFORE THE ACTIVE WORK ZONE NOTIFYING  
30 THE PUBLIC THAT AN AUTOMATED SPEED ENFORCEMENT DEVICE IS IN

1 USE [.] AND AT LEAST ONE OF THE WARNING SIGNS IS AFFIXED WITH  
2 FLASHING LIGHTS THAT ARE LIT AT ALL TIMES WHEN THE AUTOMATED  
3 SPEED ENFORCEMENT SYSTEM IS ACTIVE.

4 (2) AT LEAST ONE OF THE SIGNS UNDER PARAGRAPH (1):

5 (I) INDICATES IF THE AUTOMATED SPEED ENFORCEMENT  
6 SYSTEM IS ACTIVE OR NOT ACTIVE [.]; AND

7 (II) IS PLACED AT LEAST 1,000 FEET BEFORE THE ACTIVE  
8 WORK ZONE, UNLESS THE DEPARTMENT DETERMINES THAT A LESSER  
9 DISTANCE IS NECESSARY TO ENSURE THE SAFETY OF THE WORK  
10 ZONE, COMPLY WITH FEDERAL REGULATIONS OR PROVIDE ADEQUATE  
11 TRAFFIC CONTROL IN THE WORK ZONE. IF THE DEPARTMENT  
12 DETERMINES THAT A LESSER DISTANCE IS NECESSARY UNDER THIS  
13 SUBPARAGRAPH, THE DEPARTMENT SHALL PLACE THE SIGN PRIOR  
14 TO THE ACTIVE WORK ZONE AT A DISTANCE THAT PROVIDES  
15 MOTORISTS WITH THE MAXIMUM FEASIBLE ADVANCED NOTIFICATION  
16 OF THE AUTOMATED SPEED ENFORCEMENT SYSTEM PRIOR TO  
17 ENTERING THE ACTIVE WORK ZONE.

18 \* \* \*

19 § 3370. [Pilot program for automated speed enforcement system  
20 on designated highway] Automated speed enforcement  
21 systems on designated highways.

22 (a) General rule.--[A pilot program is established to  
23 provide for an automated speed enforcement system on the  
24 designated highway.]

25 (1) A city of the first class, upon passage of an  
26 ordinance, is authorized to enforce section 3362 (relating to  
27 maximum speed limits) by recording violations using an  
28 automated speed enforcement system approved by the  
29 department.

30 (2) This section shall only be applicable in a city of

1 the first class in areas agreed upon by the system  
2 administrator and the Secretary of Transportation. [using the  
3 automated speed enforcement system on U.S. Route 1 (Roosevelt  
4 Boulevard) between Ninth Street and the Philadelphia County  
5 line shared with Bucks County.]

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

12 \* \* \*

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

14 \* \* \*

15 (2) A penalty is authorized only for a violation of this  
16 section if each of the following apply:

17 (i) At least two appropriate warning signs are  
18 conspicuously placed at the beginning and end and at two-  
19 mile intervals of the designated highway notifying the  
20 public that an automated speed enforcement device is in  
21 use.

22 (ii) A notice identifying the location of the  
23 automated speed enforcement system is posted on the  
24 department's publicly accessible Internet website  
25 throughout the period of use.

26 (iii) Prior to passage of the ordinance under  
27 subsection (a), the governing body of a city of the first  
28 class gave public notice of the governing body's intent  
29 to adopt the ordinance and conducted at least one  
30 opportunity for public comment regarding the proposed

1       adoption of the ordinance. The requirement under this  
2       subparagraph shall not apply to an automated speed  
3       enforcement system in a city of the first class  
4       authorized prior to the effective date of this  
5       subparagraph.

6       \* \* \*

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

8       \* \* \*

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

17      \* \* \*

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

19      \* \* \*

20      (2) Upon receipt of a hearing request, the system  
21      administrator shall in a timely manner schedule the matter  
22      before a hearing officer. The hearing officer shall be  
23      designated by the city of the first class. Written notice of  
24      the date, time and place of hearing must be sent by first  
25      class mail to the owner. A hearing to contest liability may  
26      be in person or be conducted through live-stream synchronous  
27      video conferencing or similar virtual presence technology and  
28      shall be only at the locations and times set by the system  
29      administrator.

30      \* \* \*



1 [(q) Expiration.--This section shall expire five years from  
2 its effective date.]

3 Section 2. Title 75 is amended by adding a section to read:  
4 § 3371. Pilot program for automated speed enforcement systems  
5 in designated school zones.

6 (a) General rule.--A pilot program is established to provide  
7 for an automated speed enforcement system in designated school  
8 zones. The following shall apply:

9 (1) A city of the first class, upon passage of an  
10 ordinance, is authorized to enforce section 3365(b) (relating  
11 to special speed limitations) by recording violations using  
12 an automated speed enforcement system approved by the  
13 department.

14 (2) This section shall only be applicable in a city of  
15 the first class in areas agreed upon by the system  
16 administrator and the secretary.

17 (b) Owner liability.--For each violation under this section,  
18 the owner of the vehicle shall be liable for the penalty imposed  
19 unless the owner is convicted of the same violation under  
20 another section of this title or has a defense under subsection  
21 (g). For the purposes of this section, the lessee of a vehicle  
22 shall be considered the owner of a leased vehicle.

23 (c) Certificate as evidence.--A certificate, or a facsimile  
24 of a certificate, based upon inspection of recorded images  
25 produced by an automated speed enforcement system and sworn to  
26 or affirmed by a police officer employed by the city of the  
27 first class shall be prima facie evidence of the facts contained  
28 in it. The city must include written documentation that the  
29 automated speed enforcement system was operating correctly at  
30 the time of the alleged violation. A recorded image evidencing a

1 violation of section 3365(b) shall be admissible in any judicial  
2 or administrative proceeding to adjudicate the liability for the  
3 violation.

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

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

10 (2) A penalty is authorized only for a violation of this  
11 section if each of the following apply:

12 (i) At least two appropriate warning signs are  
13 conspicuously placed at the beginning and end of the  
14 designated school zone notifying the public that an  
15 automated speed enforcement device is in use.

16 (ii) A notice identifying the location of the  
17 automated speed enforcement system is posted on the  
18 department's publicly accessible Internet website  
19 throughout the period of use.

20 (iii) The designated school zone is active as  
21 indicated by an official traffic-control device with a  
22 posted speed limit of no greater than 15 miles per hour.

23 (iv) Prior to passage of the ordinance under  
24 subsection (a), the governing body of a city of the first  
25 class gave public notice of the governing body's intent  
26 to adopt the ordinance and conducted at least one  
27 opportunity for public comment regarding the proposed  
28 adoption of the ordinance.

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

1       (4) The system administrator may provide a written  
2 warning to the registered owner of a vehicle determined to  
3 have violated this section during the first 30 days of  
4 operation of the automated speed enforcement system.

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

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

16       (e) Liability.--Driving in excess of the posted speed limit  
17 in a designated school zone by 11 miles per hour or more is a  
18 violation of this section.

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

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

24       (2) Notwithstanding any other provision of law, camera  
25 equipment deployed as part of an automated speed enforcement  
26 system as provided in this section must be incapable of  
27 automated or user-controlled remote surveillance by means of  
28 recorded video images. Recorded images collected as part of  
29 the automated speed enforcement system must only record  
30 traffic violations and may not be used for any other

1 surveillance purposes, but may include video of the area  
2 enforced when triggered by a violation. The restrictions set  
3 forth in this paragraph shall not be deemed to preclude a  
4 court of competent jurisdiction from issuing an order  
5 directing that the information be provided to law enforcement  
6 officials if the information is reasonably described and is  
7 requested solely in connection with a criminal law  
8 enforcement action.

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

1 enforcement action.

2 (4) Recorded images obtained through the use of  
3 automated speed enforcement systems deployed as a means of  
4 promoting traffic safety in a city of the first class shall  
5 be destroyed within one year of final disposition of any  
6 recorded event except that images subject to a court order  
7 under paragraph (2) or (3) shall be destroyed within two  
8 years after the date of the order, unless further extended by  
9 court order. The city shall file notice with the Department  
10 of State that the records have been destroyed in accordance  
11 with this section.

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

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

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

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

1 vehicle at the time of the violation.

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

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

12 (4) It shall be a defense to a violation under this  
13 section that the device being used to determine speed was not  
14 in compliance with section 3368 (relating to speed timing  
15 devices) with respect to testing for accuracy, certification  
16 or calibration.

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

18 (1) No automated speed enforcement system may be used  
19 without the approval of the department, which shall have the  
20 authority to promulgate regulations for the certification and  
21 use of the systems which regulations may include the use of  
22 radio-microwave devices, commonly referred to as electronic  
23 speed meters or radar, or light detection and ranging  
24 devices, commonly referred to as LIDAR, in their operations.

25 (2) Notwithstanding any other provision of law, the  
26 devices identified in paragraph (1) shall be tested for  
27 accuracy at regular intervals as designated by regulation of  
28 the department.

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

1           (1) The city may not use an automated speed enforcement  
2 system unless there is posted an appropriate sign in a  
3 conspicuous place before the area in which the automated  
4 speed enforcement device is to be used notifying the public  
5 that an automated speed enforcement device is in use  
6 immediately ahead.

7           (2) The city shall designate or appoint the Philadelphia  
8 Parking Authority as the system administrator to supervise  
9 and coordinate the administration of notices of violation  
10 issued under this section. Compensation under a contract  
11 authorized by this paragraph shall be based only upon the  
12 value of equipment and services provided or rendered in  
13 support of the automated speed enforcement system program and  
14 may not be based on the quantity of notices of violation  
15 issued or amount of fines imposed or generated.

16           (3) The system administrator shall prepare a notice of  
17 violation to the registered owner of a vehicle identified in  
18 a recorded image produced by an automated speed enforcement  
19 system as evidence of a violation of section 3362 (relating  
20 to maximum speed limits). The notice of violation must be  
21 issued by a police officer employed by the police department  
22 with primary jurisdiction over the area where the violation  
23 occurred. The notice of violation shall have the following  
24 attached to it:

25           (i) a copy of the recorded image showing the  
26 vehicle;

27           (ii) the registration number and state of issuance  
28 of the vehicle registration;

29           (iii) the date, time and place of the alleged  
30 violation;

1           (iv) notice that the violation charged is under  
2           section 3365(b); and

3           (v) instructions for return of the notice of  
4           violation, which shall read:

5                   This notice shall be returned personally, by mail  
6                   or by an agent duly authorized in writing, within  
7                   30 days of issuance. A hearing may be obtained  
8                   upon the written request of the registered owner.

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

10                   (1) The system administrator may hire and designate  
11                   personnel as necessary or contract for services to implement  
12                   this section.

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

15                   (3) Not later than September 1 annually, the system  
16                   administrator shall submit an annual report to the  
17                   chairperson and minority chairperson of the Transportation  
18                   Committee of the Senate and the chairperson and minority  
19                   chairperson of the Transportation Committee of the House of  
20                   Representatives. The report shall be considered a public  
21                   record under the Right-to-Know Law and include for the prior  
22                   year:

23                   (i) The number of violations and fines issued and  
24                   data regarding the speeds of vehicles in the enforcement  
25                   area.

26                   (ii) A compilation of penalties paid and  
27                   outstanding.

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

30                   (iv) The number of vehicular accidents and related



1 serious injuries and deaths in the designated school  
2 zones.

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

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

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

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

28 (2) Payment must be made personally, through an  
29 authorized agent, electronically or by mailing both payment  
30 and the notice of violation to the system administrator.

1 Payment by mail must be made only by money order, credit card  
2 or check made payable to the system administrator. The system  
3 administrator shall remit the fine, less the system  
4 administrator's operation and maintenance costs necessitated  
5 by this section, to the department for deposit into a  
6 restricted receipts account in the Motor License Fund. Fines  
7 deposited into the fund under this paragraph shall be used by  
8 the department for a Transportation Enhancement Grants  
9 Program as established by section 3116 (relating to automated  
10 red light enforcement systems in first class cities). The  
11 department shall award transportation enhancement grants on a  
12 competitive basis. The department may pay actual  
13 administrative costs arising from the department's  
14 administration of this section. The department may not  
15 reserve, designate or set aside a specific level of funds or  
16 percentage of funds to an applicant prior to the completion  
17 of the application process, nor may the department designate  
18 a set percentage of funds to an applicant. Grants shall be  
19 awarded by the department based on the majority vote of a  
20 selection committee consisting of four representatives of the  
21 department appointed by the secretary and four members  
22 appointed by the mayor of the city of the first class, with  
23 the secretary or a designee of the secretary serving as  
24 chairperson. Priority shall be given to applications seeking  
25 grant funds for transportation enhancements in the  
26 municipality where the automated speed camera system is  
27 operated.

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

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

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

8       (2) Upon receipt of a hearing request, the system  
9 administrator shall in a timely manner schedule the matter  
10 before a hearing officer. The hearing officer shall be  
11 designated by the city of the first class. Written notice of  
12 the date, time and place of hearing must be sent by first  
13 class mail to the owner. A hearing to contest liability may  
14 be in-person or be conducted through live-stream synchronous  
15 video conferencing or similar virtual presence technology and  
16 shall be only at the locations and times set by the system  
17 administrator.

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

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

1 the value of the equipment and the services provided or rendered  
2 in support of the automated speed enforcement system.

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

7 (q) Expiration.--This section shall expire five years from  
8 the effective date of this section.

9 Section 3. The Secretary of Transportation shall transmit a  
10 notice to the Legislative Reference Bureau for publication in  
11 the next available issue of the Pennsylvania Bulletin when the  
12 automated speed enforcement system is operational in the  
13 designated school zones under 75 Pa.C.S. § 3371.

14 Section 4. This act shall take effect as follows:

15 (1) The following provisions shall take effect  
16 immediately:

17 (i)

18 The amendment of 75 Pa.C.S. § 3370(q).

19 (ii) Section 3 of this act.

20 (iii) This section.

21 (2) The addition of 75 Pa.C.S. § 3371(e) shall take  
22 effect 60 days after the publication in the Pennsylvania  
23 Bulletin under section 3 of this act.

24 (3) The remainder of this act shall take effect in 60  
25 days.