

House Transportation Committee Accomplishments 2015-16 Session

The session of 2015-16 saw the passage of significant transportation legislation. The joint House Transportation/Judiciary DUI task force was successful in providing for ignition interlocks for first-time offenders; addressing chemical tests to determine BAC; further restricting issuance of occupational limited licenses. Traffic safety was enhanced by extending Red Light Cameras' pilot program; enhanced penalties for Homicide by Vehicle and Aggravated Assault by vehicle while texting; establishes a three-tier approach to establish specific penalties for injury or death to a highway worker or emergency responder.

A House resolution (HR 622-Taylor) established a study of transportation funds supporting the state police and the potential conflicts with the Pennsylvania Constitution. Additional legislation increases the maximum reestablishment expenses under the Eminent Domain Code for a displaced homeowner, farm, nonprofit organization or small business. A complete summary of all acts and adopted resolutions with the exception of name designations and property transfers is included below.

Recap of totals for this session:

House Bills assigned to committee:	260	House Bills reported out:	95
Senate Bill assigned:	42	Senate Bills reported out:	28
Resolutions assigned:	<u>13</u>	Resolutions reported out:	<u>3</u> (adopted)
Total:	315		126

House Transportation bills becoming law:	28
Senate Transportation bills becoming law:	<u>26</u> (1 veto)
Total:	54

Name designations & property transfers becoming law:	16 (House)
	<u>11</u> (Senate)
	27

2016:

HR 622 (Taylor) adopted 191-0 directs the Legislative Budget and Finance Committee (LBFC) to conduct a comprehensive review of the appropriate, justifiable and Constitutional level of Motor License Fund support for the PA State Police (PSP).

HR 649 (Pyle) adopted 188-3 is a resolution which: requests that the U.S. Surface Transportation Board (STB), the U.S. Justice Department (DOJ) and the U.S. Department of Transportation (DOT) carefully review any plans submitted by Canadian Pacific (CP) Railway to acquire Norfolk Southern (NS) Corporation; asks Congress to review the rail industry's current antitrust exemption; and urges Congress to exercise regulatory control and oversight in order to maintain fair competition as it might affect Pennsylvania and the Northeast states.

HB 1087 (Vereb) (Act 130) provides veto power to the Governor of Pennsylvania over the actions of PA's Commissioners on the Delaware River Port Authority (DRPA) Board.

SB 385 (Rafferty) (Act 151) amends Act 238 of 2004 regarding Transit Revitalization Investment Districts (TRID) to provide for modernization and reform; and provides for an additional funding mechanism.

HB 2025 (Reese) (Act 165) makes temporary 'in-transit license plates' valid for 60 days; allows PennDOT to have more flexibility in the sanctions it can impose on safety inspection stations and mechanics; empowers PennDOT to suspend vehicle registrations for unpaid tolls; allows for a registration fee refund and to eliminate the semi-annual inspection requirements on motor carrier vehicles over 17,000 pounds; addresses penalties for Homicide by Vehicle and Aggravated Assault by vehicle while using text based communication; adds sugar to the list of commodities that may receive an annual permit to haul in excess of 80,000 lbs; and makes improvements to the abandoned vehicle process.

SB 1155 (Reschenthaler) (Act 108) permits current members of the U.S. armed forces, a reserve component of the armed forces, or the PA National Guard to display a special registration plate designating the vehicle as belonging to a person who is a member of the U.S. armed forces. In order to issue the plate, PennDOT will require documentation of the person's military service.

HB 150 (Maloney) (Act 36) amends the Vehicle Code to establish a "Share the Road" registration plate for passenger vehicles and light trucks or motor homes to display.

HB 871 (Sankey) (Act 91) allows for the de-titling of vehicles which are recycled by a scrap metal processor; and provides a way for an insurance company to apply to PennDOT for a salvage certificate for a vehicle after a total loss.

HB 898 (Boyle) (Act 75) designates the following as emergency vehicles, permitting them to use flashing lights and sirens: Philadelphia Prison System prisoner transport units and Emergency response vehicles operated by the PA Turnpike. Bans PennDOT from prohibiting the use of internal flashing or revolving lights on certain fire vehicles. Establishes a method for the State Fire Commissioner to recommend lighting changes. Provides for the removal of dead deer by PennDOT.

HB 1199 (Taylor) (Act 49) repeals a 1965 act allowing the Department of Highways to erect and maintain a bridge over the Monongahela River in Washington and Allegheny counties.

HB 1200 (Taylor) (Act 29) repeals a section of a 1903 act requiring railroads under bridges or viaducts to pay maintenance fees.

HB 1201 (Taylor) (Act 2) repeals a 1943 act authorizing the Commonwealth and municipalities to take over public roads and highways constructed by the federal government.

HB 1278 (Emrick) (Act 19) amends Section 4527 of the Vehicle Code (relating to television equipment) by renaming it “image display device” and by allowing television broadcasts or video images to be displayed in a vehicle as long as the images are not visible to the operator of the vehicle while the vehicle is in motion.

HB 1335 (Lawrence) (Act 77) amends Section 6115 of Title 75 to remove the requirement that the PA Turnpike Commission (PTC) has to provide for the installation and maintenance of emergency telephones along the PA Turnpike every two miles on both sides of the highway. This legislation does not require the removal of any of the current call boxes, but will no longer require PTC to maintain and operate them.

SB 61 (Greenleaf) (Act 44) amends Section 3105 of the Vehicle Code (relating to drivers of emergency vehicles) to remove all restrictions on the use of pedalcycles by bike medics during the course of performing official duties.

SB 290 (Rafferty) (Act 33) amends the Vehicle Code regarding DUI by establishing an “ignition interlock limited license” and providing for ignition interlocks for first-time offenders; addressing chemical tests to determine BAC; further restricting issuance of occupational limited licenses; and clarifying the calculation of prior offenses.

SB 983 (Act 55) (McGarrigle) amends Section 1338(a) of the Vehicle Code (relating to a person with disability plate) to allow a parent, including an adoptive parent or foster parent, of a child or adult child to apply to PennDOT for a disability plate, provided that the parent has custody, care or control of the child/adult child.

SB 1108 (Act 34) (Scavello) amends several sections of the Vehicle Code to include the term “autocycle”. An autocycle is defined in the bill as a three-wheeled motorcycle that has a steering wheel and seating that does not require the rider to straddle or sit astride. [An example of an autocycle would be the Polaris Slingshot.] The definition of “motorcycle” is amended to include an autocycle. The bill was amended on 2nd consideration to allow PennDOT to issue permits for milk hauling on Commonwealth interstates. As part of the Federal FAST Act, milk was added to the list of non-divisible loads allowing haulers to be granted special permits for movement on interstates over 80,000 lbs.

SB 1152 (Browne) (Act 43) amends Section 4581 of the Vehicle Code (relating to restraint systems) to require anyone operating a passenger car, Class I truck, Class II truck, classic motor vehicle, antique motor vehicle or motor home which is transporting a child under 2 years of age to fasten the child securely in a rear-facing child passenger restraint system. For the first year after enactment, law enforcement shall only issue verbal warnings for a violation of this new requirement.

SB 1267 (Rafferty) (Act 101) has three distinct subject matters. The first deals with procedures when motorists encounter malfunctioning red signals; secondly, the continuation of the Automated Red Light Enforcement (ARLE) Program; and expansion of PennDOT’s Green Light-Go Municipal Signal Partnership grant program. Specifically, SB 1267 will allow vehicles that fail to be detected by automated traffic signals to proceed according to the current process

outlined in the Vehicle Code for inoperable or malfunctioning signals. (That is, proceed with caution at a green/yellow signal; stop and then proceed at a red signal in the same manner as at a stop sign.) The bill moves the sunset provision on ARLE in the City of Philadelphia and certain municipalities to July 15, 2027. Further, it requires PennDOT to conduct an evaluation of ARLE to identify the program's effectiveness and to determine the conditions that should be present for when a municipality should consider ARLE. PennDOT is to complete the study by June 1, 2017. Additionally, this bill lowers the local match for Green Light-Go to 20% and expands the types of local financial assistance such as federal, state, regional, local and private funds with a goal to improve traffic signal safety, function and traffic mobility.

2015:

HR 168 (Evanovich) was adopted 196-0 and urges PennDOT to accept the individual's marriage certificate along with her Social Security card as sufficient documentation for a name change when wishing to keep her surname as a middle name.

HB 1411 (Taylor) (Act 88) amends Chapter 9 of the Eminent Domain Code to comply with revisions to the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act as amended by Congress. Specifically, the following changes are required:

- The maximum reestablishment expenses reimbursable for a displaced farm, nonprofit organization or small business is increased from \$12,000 to \$25,000;
- The length of occupancy requirement for homeowners to be eligible for a housing supplement, rather than just a tenant supplement, is reduced from 180 to 90 days in occupancy before the initiation of negotiations;
- The maximum amount of the replacement housing supplement for homeowners is increased from \$27,000 to \$31,000; and
- The maximum amount of the replacement housing supplement for tenants and others is increased from \$6,300 to \$7,200.

HB 1195 (Culver) (Act 86) amends the Vehicle Code to create an up to 20-year term of "perfection" for a security interest in a motor home or recreational trailer.

SB 42 (Baker) (Act 32) amends Act 176 of 2012 (HB 2428-Pyle), the act that establishes an optional veteran's designation on the driver's license or ID card, by adding a penalty in the Vehicle Code for a person who falsely represents himself as a veteran of the U.S. armed forces.

SB 284 (Baker) (Act 17) amends the Vehicle Code to establish an "Honoring Our Veterans" registration plate for motorcycles to display.

SB 765 (Brooks) (Act 61) amends the Vehicle Code to add employees or contractors of a public utility, municipally owned utility or electric cooperative to the definition of "Emergency service responder" and clarifies the provisions of the "Move Over" law.

SB 398 (White) (Act 17) amends the Vehicle Code to redesign driver's license and ID card applications regarding the organ donor designation. It adds the statement to the application that Pennsylvania strongly supports organ and tissue donation because of its life-saving and life-enhancing opportunities.

SB 748 (Argall) (Act 55) eliminates the mandatory escort of super-sized loads by the PA State Police (PSP) and replace them with certified pilot escorts.

SB 887 (Costa) (Act 70) amends two sections of the Vehicle Code, effectively establishing a three-tier approach to establish specific penalties for injury or death to a highway worker or emergency responder in addition to any other existing penalties.

SB 925 Rafferty (Act 49) amends several sections of the Vehicle Code to bring PA into compliance with Federal Motor Carrier Safety Administration (FMCSA) Commercial Driver License Testing and Commercial Driver Learner's Permit Standards that are required to be enacted by July 8, 2015.