



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 1094

PRINTERS NO. 1806

PRIME SPONSOR: Gebhard

COST / (SAVINGS)

FUND	FY 2021/22	FY 2022/23
Motor License Fund	\$0	See "Fiscal Impact"
Municipal Funds	\$0	\$0

SUMMARY: Provides updates to the Motor Carrier Safety Advisory Committee and adds omnibus language regarding commercial motor vehicle matters. The provisions related to apportioned registration renewals would take effect in 18 months. The remainder of the legislation would take effect in 60 days.

ANALYSIS: This legislation makes changes to Title 75 (Vehicle Code) regarding commercial motor vehicle language including updating the Motor Carrier Safety Advisory Committee; staggering apportioned vehicle registrations; updating the process for a CDL record check to comply with Federal requirements; and requiring drivers to make a reasonable effort to remove accumulated ice or snow from the vehicle within 24 hours after snow or ice.

Provisions Related to the Motor Carrier Safety Advisory Committee: This legislation repeals section 7802 (related to findings and declaration of policy) of which provides for legislative findings.

Section 7804 (related to Motor Carrier Safety Advisory Committee) is amended to increase the total number of committee members from 28 to 31 and to update its membership criteria. The legislation removes seven and adds nine members for a total of 23 members of the public representing areas of concern specified who must have extensive experience and knowledge of motor carrier transportation and safety activities throughout this Commonwealth, appointed by the Governor.

The legislation removes the following appointments:

- The two representatives from the PA Truck Transportation Alliance.
- One representative from the Hardwood Lumber Manufacturers Association of PA.
- One person representing the interests of bulk haulers.
- One representative from the moving and storage industry in PA.
- One representative from the petroleum industry in PA.
- One representative from a Class I Railroad.

The legislation adds the following appointments:

- One representative from the PA Manufactured Housing Association.
- One representative from the PA Forest Products Association.
- One representative from the railroad industry in PA.
- One person representing the interests of the motor carrier manufacturing industry.
- Six representatives from the transport industry, each representing one of the following areas:
 - Bulk products.
 - Moving and storage.
 - Petroleum.
 - Natural gas.
 - Coal.
 - Construction Material Transportation.

The Secretary of Transportation, Chair of the Public Utility Commission, Chair of the PA Turnpike Commission, the Commissioner of the PA State Police, and the Chairs of the House and Senate Transportation Committees members may designate a representative to serve in their stead, provided they notify the Chairperson in writing.

The legislation also states that if a position or vacancy is not filled by the appointing authority within 120 days of the opening or vacancy, the appointment shall be made by the President Pro Tempore of the Senate. The legislation also removes the provision that requires any person appointed to fill a vacancy to serve only for the unexpired term.

The chairperson, vice chairperson and secretary will be elected annually from among the public members appointed to the committee. Currently, the chairperson is appointed by the Governor.

The Secretary must provide written notice to appointed members who miss three consecutive meetings (instead of two). Four consecutive committee meeting absences (instead of three) by an appointed member is grounds for removal if affirmed by a majority vote of the committee.

The legislation repeals the committee's existing powers and duties and tasks them to:

- Study the feasibility of improving highway safety and freight transportation on highways and develop a policy periodically on the most pressing issues facing motor carrier safety.
- Examine and recommend motor carrier safety initiatives for strategic plans of PennDOT, the PA Public Utility Commission and the PA State Police.
- Advise and comment on all phases of motor carrier safety activities being undertaken or financially assisted by PennDOT and agencies of the Commonwealth.
- With assistance from PennDOT, provide advice and recommendations to businesses, manufacturers, educational institutions, technology developers, the motor carrier industry, labor communities and local governments related to motor carrier safety.
- Develop and maintain a forum for the exchange of ideas, needs, objectives, plans and accomplishments related to motor carrier safety.

The committee must submit annual reports of its recommendations to the Secretary of Transportation, as well as the Governor and the General Assembly.

Provisions Related to Apportioned Registration Renewals: This legislation amends section 1309.1 to require PennDOT to establish a system of staggered apportioned registration renewal in a manner where these registrations will expire in no less than four periods throughout the year. In order to implement and maintain the staggered renewals, PennDOT may prorate annual apportioned registration fees.

Provisions Related to Commercial Driver's License Federal Compliance: This legislation amends section 1610 (related to commercial driver's license) to require that PennDOT obtain driver record information from the Drug and Alcohol Clearinghouse before issuing, renewing, upgrading or transferring a commercial driver's license.

Provisions Related to Ice and Snow on Vehicles: This legislation repeals section 3720 (related to snow and ice dislodged or falling from moving vehicle) and replaces it with section 3721 (related to snow and ice).

Under section 3721, a driver of a motor vehicle or motor carrier vehicle being operated on a PA highway must make reasonable efforts to remove accumulated ice or snow from the motor vehicle or motor carrier vehicle, including the hood, trunk and roof of the vehicle, within 24 hours after the cessation of the falling snow or ice. This requirement does not apply if:

- i. the driver of the motor carrier vehicle, mass transit vehicle, bus or school bus is en route to a facility to remove accumulated ice or snow at the time of the stop.
- ii. compliance with this requirement would cause the driver of the motor carrier vehicle, transit vehicle, bus or school bus to violate any other Federal or State law or regulation regarding workplace safety or would be a threat to the health and safety of the driver.

A violation is a \$50 fine per offense, or a \$200 - \$1,500 fine per offense when snow or ice falls from a moving vehicle and strikes another vehicle or pedestrian causing death or serious bodily injury

FISCAL IMPACT: According to PennDOT, they plan to stagger apportioned registration expiration dates from 6 to 18 months and adjust registration rates accordingly to account for a shorter or longer duration to create a revenue-neutral process for the Motor License Fund. The remainder of this legislation would have no adverse fiscal impact on Commonwealth or municipal funds.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: June 28, 2022

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.