



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 1246

PRINTER'S NO. 1805

PRIME SPONSOR: Kearney

COST / (SAVINGS)

FUND	FY 2023/24	FY 2024/25
Motor License Fund	\$0	\$0

SUMMARY: SB 1246 PN 1805 codifies the existing State Safety Oversight Office within PennDOT. This legislation will take effect immediately.

ANALYSIS: This legislation amends Title 74 (Transportation) to create Section 1510.1 (State Safety Oversight Office) and includes the following:

Definitions

The legislation defines the following terms:

- *“Fixed guideway non-rail public transportation system”*
 - Route 103 Busway operated by SEPTA
 - MLK Jr. (East) Busway operated by Pittsburgh Regional Transit
 - South Busway operated by Pittsburgh Regional Transit
 - West Busway operated by Pittsburgh Regional Transit
 - Any other busway designed or constructed by SEPTA or Pittsburgh Regional Transit that meets the definition of a bus rapid transit system, operated on a fixed guideway
- *“Fixed guideway public transportation system”* - a fixed guideway non-rail public transportation system or a rail-fixed guideway public transportation system
- *“Rail-fixed guideway public transportation system”* –
 - Fixed guideway system that:
 - Uses rail
 - Operates for public transportation in Pennsylvania
 - Is not subject to the jurisdiction of the Federal Railroad Administration
 - Fixed guideway system in an engineering or construction phase designed to:
 - Uses rail
 - Operates for public transportation in Pennsylvania
 - Is not subject to the jurisdiction of the Federal Railroad Administration

State Safety Oversight Office (SSOO)

Currently, Title 74 Section 1510(b) provides for the enforcement authority of the State Safety Oversight Office within PennDOT.

- This legislation creates Section 1510.1 to establish SSO Office within PennDOT and provides that the office must adhere to and have the authority to perform and enforce the provisions and functions provided under 49 U.S.C § 5329 and the associated Federal regulations adopted for oversight for each system

- SSO Office must establish, adopt, administer and enforce a program standard and annually review and consult with each system that the office oversees in the development of the program standard
- SSO Office shall conduct risk-based inspections, investigations, audits and other oversight activities at each system. In doing so, the SSO Office shall enter the facilities, either physically or virtually, to inspect infrastructure, equipment, records, personnel and data, including the data the system collects when identifying and evaluating safety risks and safety events, with or without advanced notice to the system
- If a system fails to comply with relevant safety-related Federal and State laws and the program standard, the SSO Office may:
 - Issue a safety directive requiring the system to correct the system deficiency
 - Require the prioritization and utilization of State funding to correct the safety deficiency
 - Issue temporary orders to reduce or stop service of the system
- In response to an imminent threat to the system employees or the general public by an unacceptable hazardous condition, the SSO Office must issue and enforce temporary actions or directives to the system
- The SSO Office must oversee a system's execution of security assessments and mitigations as described in the system's security and emergency preparedness plan and in safety and security certification processes for new capital projects being developed and constructed by the system, provided that the oversight does not conflict with requirements developed by the Transportation Security Administration under the US Dept. of Homeland Security
- Data and reports generated by or submitted to the SSO Office and not made publicly available under this section and pertaining to security of the system or its passengers are not:
 - Subject to the Right-to-Know Law
 - Discoverable or admissible as evidence in a legal action or other proceeding for damages

FISCAL IMPACT: The enactment of this legislation would have no fiscal impact on Commonwealth Funds, specifically the Motor License Fund, as the State Safety Oversight Office currently operates within the Department of Transportation.

PREPARED BY: Gueorgui Tochev, Budget Analyst
House Appropriations Committee (D)

DATE: July 3, 2024

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