

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** House Bill 2086

**PRINTER NO.** 2972

**AMOUNT**

See Fiscal Impact

**FUND**

General Fund

**DATE INTRODUCED**

November 16, 2021

**PRIME SPONSOR**

Representative Kerwin

**DESCRIPTION**

House Bill 2086 makes permanent a waiver permitting members of the Pennsylvania National Guard (PANG) to operate state-owned vehicles in response to an emergency.

The bill amends Section 709 (Operation of State-owned Vehicles) of Title 51 (Military Affairs) by stipulating that:

- Members of the PANG may operate state-owned vehicles in response to an emergency when ordered to duty by the President or Governor;
- Members of the PANG shall be considered state employees or officers for the authorization of the use of state-owned vehicles by the Department of General Services;
- Members of the PANG shall be considered employees of the Commonwealth for tort liability and immunity purposes;
- Members of the PANG shall not be liable for an act or omission in good faith on the part of the member of the PANG when operating or maintaining a state-owned vehicle under this section. Good faith under this subsection shall not include willful misconduct, gross negligence or recklessness; and
- The Department of Military & Veterans Affairs, in consultation with the Department of General Services, shall establish rules and guidelines for the implementation of this section.

This act shall take effect in 60 days.

**FISCAL IMPACT:**

House Bill 2086 will have no impact on Commonwealth funds and will only be applicable if PANG members operate state-owned vehicles when being ordered to respond to emergency duty.