

FISCAL NOTE

February 27, 2017

Bill No:	SB 172	Printer's No:	148	Sponsor:	Argall (R)
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COST / (SAVINGS)

Fund (s)	2016-17	2017-18
Motor License Fund	\$0	\$8.8 million

SUMMARY: This bill would amend Title 75 (Vehicles) to establish a five-year pilot program to provide for automated speed enforcement systems in active work areas on interstate highways and freeways in the commonwealth.

ANALYSIS: Senate Bill 172 would establish a five-year program to provide for automated speed enforcement systems in work areas on interstate highways and freeways under the jurisdiction the Department of Transportation (DOT) and the Pennsylvania Turnpike Commission (Commission). Any person found in violation of the posted speed limit by the automated speed enforcement would receive a notice of violation and be subject to fine of \$100. The fine would not be authorized during times when the automated speed enforcement work area is not active. All recorded images obtained through the use of the automated speed enforcement systems would be considered exclusive property of DOT and the Commission and would be destroyed after two years. Any violations of this provision would be punishable by a fine of \$500.

Under this act, both entities may promulgate temporary regulations for the certification and use of the automated speed enforcement systems. DOT and the Commission would serve directly or through a contracted private service as the system administrator of the program. Compensation under a contract would be based solely on the value of equipment and services provided or rendered in support of the automated speed enforcement system program and may not be based on the quantity of violation notices issued or amount of fines imposed or generated.

Additionally, two restricted accounts would be established in the State Treasury for fines remitted to DOT and the Commission. The fund would be used for the administration of the pilot program and the administrator's invoice costs. All remaining fines would be allocated by DOT and the Commission in the amount of 75 percent of the fines over the duration of the five-year program in a restricted account in the State Treasury on a quarterly basis. The Department of Revenue (DOR) would then, within 90 days, transfer to PSP an amount equivalent to the previous quarterly deposit to be used by PSP 55 percent for recruiting, training or equipping cadets and 45 percent for increased Trooper presence in work zones.

Twenty-five percent of the fines collected over the duration of the program would be used to improve work zone safety, traffic safety and educating the motoring public on work zone safety

FISCAL NOTE

February 27, 2017

at the discretion of DOT and the Commission. If the amount of funds to be transferred to PSP on a quarterly basis is lower than the amount transferred for the previous fiscal year, funds from the Motor License Fund may not be used to supplement the funds for the current fiscal year.

Annually, no later than April 1st, PSP and the Commission would be required to submit a report on the program to the majority and minority chairperson of the House and Senate Transportation Committee. The DOT secretary would also be required to publish a notice in the Pennsylvania Bulletin when the automated speed enforcement system is operational.

The automated speed enforcement system program must be established no later than 18 months following the effective date of this act. If the five-year program is not extended by the General Assembly, remaining fines remitted to PSP or the Commission would be required to remain with PSP or the Commission for the purpose of improving work zone safety, traffic safety and educating the motoring public on work zone safety.

The section referring to the authority and duties of PSP and the Commission under this act would be effective 45 days upon passage. The remainder of this act would be effective in 60 days upon passage.

FISCAL IMPACT:

Department of Transportation (DOT)

DOT would incur a cost of \$8.8 million in administrative and vendor contract costs in Fiscal Year (FY) 2017-18 and thereafter for a period of five years. The act would allow for automated speed enforcement (ASE) vendor contract and the administrative costs to be reimbursed through program revenues. DOT would incur a cost of \$1.7 million in personnel costs annually to administer the pilot program and it is estimated that vendor costs would be approximately \$7.1 million annually. If DOT reached a point where fines are no longer enough to cover the operational costs of the program, DOT would scale back the program.

Pennsylvania State Police (PSP)

PSP could incur additional revenues