



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1410

PRINTERS NO. 2613

PRIME SPONSOR: Fee

COST / (SAVINGS)

FUND	FY 2022/23	FY 2023/24
General Fund	See Fiscal Impact	See Fiscal Impact

SUMMARY: House Bill 1410, Printer's Number 2613, establishes the Weigh Station Preclearance Program Act and requires the Pennsylvania State Police to create an electronic weigh station bypass program for commercial vehicles.

ANALYSIS: This bill creates the "Weigh Station Preclearance Program Act" and requires the Pennsylvania State Police (PSP) to establish a weigh station preclearance program in accordance with the commercial vehicle information systems and networks electronic screening truck inspection and weigh station preclearance standards authorized by the Federal Motor Carrier Safety Administration (FMCSA). The program shall meet the needs of the Commonwealth, FMCSA standards and conform with weigh station preclearance programs in other states, including standards regarding safety history credential status.

Any proposed infrastructure to be installed within the right-of-way of a state highway must be designed and constructed in accordance with standards from the department of transportation and the Pennsylvania turnpike commission, as applicable, and reviewed by the Department of Transportation and the Pennsylvania Turnpike Commission, as applicable, for approval prior to construction. All costs associated with the design, inspection, installation, maintenance and operation of the preclearance system shall be the responsibility of the preclearance system provider.

The PSP shall operate the program at each location where commercial vehicle enforcement is conducted. A preclearance system provider's devices and platform shall be used uniformly at each location where the program is operated. The PSP may establish policies, standards, rules and regulations as necessary to implement the provisions of this act, including authorized devices that meet the requirements for use in the program. The PSP may also consult with the Pennsylvania Department of Transportation as necessary for implementation of this act.

The bill outlines the following criteria for preclearance system and devices as follows:

- (a) The program shall be administered by a preclearance system. The preclearance system shall be GPS-based and able to be used at both fixed enforcement facilities and

mobile or remote locations. The preclearance system shall be broadly deployed across the United States for interstate operability purposes on the effective date of this section.

(b) Computer software and hardware, including any infrastructure-based devices or technologies, necessary for the preclearance system shall be made available at no cost to the PSP. The preclearance system provider shall be responsible for all costs of operating and maintaining the computer software and hardware.

The computer software and hardware shall meet the following criteria:

- all FMCSA requirements for core compliance with the commercial vehicle information systems and networks electronic screening truck inspection and weigh station preclearance standards.
- In-vehicle equipment shall be operated in compliance with applicable State law and regulations relating to hands free devices and distracted driving.
- Preclearance messaging shall be transmitted and received by the driver through electronic messaging within the cab of the commercial vehicle.

The PSP, Department of Transportation and the Pennsylvania Turnpike Commission, as applicable, shall have unrestricted access to roadside event data provided by the preclearance system as part of the program, including real-time event data and real-time sensor data.

This legislation would take effect in 180 days upon enactment.

FISCAL IMPACT: Enactment of this legislation will have no adverse fiscal impact on Commonwealth funds. PSP will have some administrative and operating costs to implement the Weigh Station Preclearance Program, but the preclearance system provider shall be responsible for all costs of operating and maintaining the computer software and hardware. It is projected that all PSP costs will be covered under existing operations through PSP's Commercial Vehicle Safety Division that currently coordinates the Federal Motor Carrier Safety Assistance Program and Pennsylvania's vehicle weight enforcement program. This program is appropriated \$14.2 million in FY 2022-23 from the Motor License Fund.

It should be noted that, while PSP currently uses mobile and random commercial inspections, additional program savings could be realized with reduced inspections as a result of the GPS-based preclearance system that can be used at both fixed enforcement facilities and mobile or remote locations. Given that Pennsylvania is reportedly one of the few states not implementing an electronic bypass program, it is also possible Pennsylvania could receive additional federal revenues through the FMCAS Innovative Technology Deployment program with the establishment of the "Weigh Station Preclearance Program Act."

PREPARED BY: Jeffrey Clukey
House Appropriations Committee (R)

DATE: July 7, 2022

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