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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2506 Session of  
2022

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INTRODUCED BY WARNER, ARMANINI, BERNSTINE, BOROWICZ, COOK, COX,  
DAVANZO, T. DAVIS, DAY, DeLUCA, DIAMOND, DOWLING, GLEIM,  
HAMM, HERSHEY, IRVIN, KAUFFMAN, KEEFER, R. MACKENZIE, MAJOR,  
MERCURI, METCALFE, METZGAR, NEILSON, OWLETT, ROTHMAN, ROZZI,  
SANKEY, SMITH, SNYDER AND STURLA, APRIL 11, 2022

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REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 11, 2022

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, in liquid fuels and fuels tax, further providing  
3 for definitions; providing for consumer gas prices relief;  
4 making appropriations; and providing for Commonwealth  
5 indebtedness.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. The definition of "average wholesale price" in  
9 section 9002 of Title 75 of the Pennsylvania Consolidated  
10 Statutes is amended to read:

11 § 9002. Definitions.

12 The following words and phrases when used in this chapter  
13 shall have the meanings given to them in this section unless the  
14 context clearly indicates otherwise:

15 \* \* \*

16 "Average wholesale price." The average wholesale price of  
17 all taxable liquid fuels and fuels, excluding the Federal excise  
18 tax and all liquid fuels taxes, shall be as follows:

1 (1) After December 31, 2013, and before January 1, 2015,  
2 the average wholesale price shall be \$1.87 per gallon.

3 (2) After December 31, 2014, and before January 1, 2017,  
4 the average wholesale price shall be \$2.49 per gallon.

5 (3) After December 31, 2016, the average wholesale price  
6 shall be as determined by the Department of Revenue for the  
7 12-month period ending on the September 30 immediately prior  
8 to January 1 of the year for which the rate is to be set[. **In**],  
9 subject to the following limitations:

10 (i) Except as provided in subparagraph (ii), in no  
11 case shall the average wholesale price be less than \$2.99  
12 per gallon.

13 (ii) After December 31, 2022, and before January 1,  
14 2024, the average wholesale price shall be no more than  
15 \$2.99 per gallon.

16 \* \* \*

17 Section 2. Title 75 is amended by adding a chapter to read:

18 CHAPTER 90A

19 CONSUMER GAS PRICES RELIEF

20 Sec.

21 90A01. (Reserved).

22 90A02. Definitions.

23 90A03. Consumer gas prices relief.

24 90A04. Appropriation.

25 90A05. Commonwealth indebtedness.

26 § 90A01. (Reserved).

27 § 90A02. Definitions.

28 The following words and phrases when used in this chapter  
29 shall have the meanings given to them in this section unless the  
30 context clearly indicates otherwise:

1 "Capital Facilities Debt Enabling Act." The act of February  
2 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt  
3 Enabling Act.

4 "Capital project." A capital project that:

5 (1) is specifically itemized in accordance with the  
6 Capital Facilities Debt Enabling Act pursuant to section 7(a)  
7 (4) of Article VIII of the Constitution of Pennsylvania; and

8 (2) is an infrastructure project for highway or bridge  
9 maintenance or construction.

10 § 90A03. Consumer gas prices relief.

11 (a) Reduction.--Notwithstanding any other provision of law,  
12 including Chapters 90 (relating to liquid fuels and fuels tax)  
13 and 95 (relating to taxes for highway maintenance and  
14 construction), the tax imposed under section 9004(b) and (d)  
15 (relating to imposition of tax, exemptions and deductions) shall  
16 be reduced by 33 1/3% from the rate of the tax imposed on the  
17 effective date of this section.

18 (b) Applicability.--The reduction under subsection (a) shall  
19 apply from the effective date of this section until January 1,  
20 2023.

21 § 90A04. Appropriation.

22 The amount of \$500,000,000 is appropriated on a continuing  
23 basis from the COVID-19 Response Restricted Account to the  
24 Pennsylvania State Police for the purpose of Pennsylvania State  
25 Police operations for fiscal year 2022-2023.

26 § 90A05. Commonwealth indebtedness.

27 The maximum principal amount of additional debt to be  
28 incurred under this section shall be \$650,000,000. Debt shall be  
29 incurred in accordance with the Capital Facilities Debt Enabling  
30 Act, and the Motor License Fund shall be charged with the

1 repayment of the debt. The net proceeds from the sale of  
2 obligations authorized in this section are appropriated to the  
3 department to be used exclusively to defray financial costs of  
4 capital projects during the period under section 90A03(b)  
5 (relating to consumer gas prices relief). The money necessary to  
6 pay debt service or to pay arbitrage rebates required under  
7 section 148 of the Internal Revenue Code of 1986 (Public Law 99-  
8 514, 26 U.S.C. § 148) due on the obligations under this section  
9 is appropriated to the State Treasurer from the Motor License  
10 Fund.

11 Section 3. This act shall take effect immediately.