

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1267 Session of 2015

INTRODUCED BY RAFFERTY, BREWSTER, WILEY, MENSCH, BARTOLOTTA, RESCHENTHALER AND VULAKOVICH, MAY 13, 2016

AS AMENDED ON SECOND CONSIDERATION, JUNE 27, 2016

AN ACT

1 Amending Titles 74 (Transportation) and 75 (Vehicles) of the
2 Pennsylvania Consolidated Statutes, in traffic signals,
3 further providing for definitions and for maintenance
4 agreement; in general provisions relating to operation of
5 vehicles, further providing for traffic-control signals and
6 for expiration of automated red light enforcement systems
7 provisions; and, in taxes for highway maintenance and
8 construction, further providing for allocation of proceeds.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 9201 of Title 74 of the Pennsylvania
12 Consolidated Statutes is amended to read:

13 § 9201. Definitions.

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

17 "Critical corridor." Either of the following:

18 (1) A State or municipal highway segment intersecting
19 with a limited access ramp identified by the Secretary of
20 Transportation.

21 (2) A State or municipal highway segment with

1 bidirectional average annual daily traffic greater than
2 10,000 vehicles as determined by the department's Roadway
3 Management System.

4 "Department." The Department of Transportation of the
5 Commonwealth.

6 "Designated traffic corridor." A State or municipal highway
7 segment, other than a critical corridor, determined by the
8 Secretary of Transportation to be subject to the provisions of
9 this chapter.

10 "Existing agreement." An agreement between the department
11 and a municipality for the maintenance of a traffic signal
12 existing prior to the effective date of this section.

13 "Maintenance." The activity of keeping a traffic signal in
14 proper working condition during the useful life of the traffic
15 signal.

16 "Municipality." A county, city, borough, incorporated town
17 [or], township or home rule municipality.

18 "Replace." The modernization of an existing traffic signal
19 within a critical or designated traffic corridor.

20 "Synchronize." The coordination of the timing of all traffic
21 signals within a critical or designated traffic corridor for the
22 purpose of operating as a single system.

23 "Timing." The programming of traffic signals within a
24 critical or designated traffic corridor in order to synchronize
25 the signals.

26 Section 2. Section 9202(a) of Title 74 is amended and the
27 section is amended by adding subsections to read:

28 § 9202. Maintenance agreement.

29 (a) Agreement.--A municipality may enter into an agreement
30 with the department to replace, synchronize and time traffic

1 signals located within a critical or designated traffic
2 corridor. The terms of the agreement may specify that the
3 municipality provide services to the department. The agreement
4 shall not exceed the time period of the useful life of the
5 traffic signals. The municipality shall, during the duration of
6 the agreement, properly maintain and time the traffic signals in
7 accordance with the agreement.

8 * * *

9 (h) Cities of the first or second class.--Notwithstanding
10 any other provision of law, the department may own, install,
11 replace, synchronize, time, operate or maintain traffic signals
12 within a city of the first class or a city of the second class.

13 (i) Department-managed signals.--The following apply:

14 (1) In accordance with subsection (c), the department
15 may own, install, replace, synchronize, time, operate or
16 maintain a traffic signal and all associated signs and
17 markings included on a department-approved traffic signal
18 plan within a municipality if the department publishes the
19 location of the signal or the critical corridor as a notice
20 in the Pennsylvania Bulletin.

21 (2) A municipality shall enact any ordinances and enter
22 into any agreements necessary to complete the transfer of all
23 rights and duties to department-managed signals under this
24 subsection.

25 (j) Special pilot program for department-managed signals.--
26 The following apply:

27 (1) The department shall develop a pilot program for
28 department-managed signals to implement on one or more
29 critical corridors at the department's discretion as
30 specified under this subsection.

1 (2) After implementation and evaluation of the pilot
2 program, but no later than January 1, 2022, the secretary
3 shall certify in the Pennsylvania Bulletin that the pilot
4 program is ended and indicate whether or not the pilot
5 program has been successful. If successful, the department
6 may maintain and expand the department management of signals.
7 This subsection shall expire January 1, 2022.

8 Section 3. Sections 3112(c),~~7~~ AND 3116(q) ~~and 3117(r)~~ of <--
9 Title 75 are amended to read:

10 § 3112. Traffic-control signals.

11 * * *

12 (c) Inoperable or malfunctioning signal.--If a traffic-
13 control signal is out of operation or is not functioning
14 properly, including, but not limited to, a signal that uses
15 inductive loop sensors, or other automated technology, to detect
16 the presence of vehicles that fails to detect a vehicle,
17 vehicular traffic facing a:

18 (1) Green or yellow signal may proceed with caution as
19 indicated in subsection (a)(1) and (2).

20 (2) Red or completely unlighted signal shall stop in the
21 same manner as at a stop sign, and the right to proceed shall
22 be subject to the rules applicable after making a stop at a
23 stop sign as provided in section 3323 (relating to stop signs
24 and yield signs).

25 § 3116. Automated red light enforcement systems in first class
26 cities.

27 * * *

28 (q) Expiration.--This section shall expire July 15, [2017]
29 2027.

30 ~~§ 3117. Automated red light enforcement systems in certain~~ <--

1 municipalities.

2 * * *

3 ~~(r) Expiration. This section shall expire July 15, [2017]~~
4 ~~2027.~~

5 * * *

6 SECTION 4. SECTION 3117(R) AND (S) OF TITLE 75 ARE AMENDED <--
7 AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

8 § 3117. AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS IN CERTAIN
9 MUNICIPALITIES.

10 * * *

11 (R) REPORT.--THE DEPARTMENT SHALL CONDUCT AN EVALUATION OF
12 SECTION 3116 (RELATING TO AUTOMATED RED LIGHT ENFORCEMENT
13 SYSTEMS IN FIRST CLASS CITIES) AND OF ANY MUNICIPALITY THAT
14 APPROVED AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS UNDER THIS
15 SECTION. THE EVALUATION SHALL INCLUDE, BUT IS NOT LIMITED TO,
16 THE EFFECTIVENESS OF AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS IN
17 THIS COMMONWEALTH AND THE CONDITIONS THAT SHOULD BE PRESENT IN
18 ORDER FOR A MUNICIPALITY TO CONSIDER APPROVING AUTOMATED RED
19 LIGHT ENFORCEMENT SYSTEMS AT INTERSECTIONS WITHIN THE
20 MUNICIPALITY BASED ON THE CLASS AND SIZE OF THE MUNICIPALITY,
21 THE AVERAGE DAILY TRAFFIC, THE NUMBER OF COLLISIONS AND
22 FATALITIES, THE COLLECTION OF FINES, THE REVENUE LIMIT AND THE
23 ALLOCATION OF REVENUE RECEIVED. THE DEPARTMENT SHALL COMPLETE
24 THE EVALUATION BY JUNE 1, 2017, AND PROVIDE A COPY TO THE
25 CHAIRPERSON OF THE TRANSPORTATION COMMITTEE OF THE SENATE AND
26 THE CHAIRPERSON OF THE TRANSPORTATION COMMITTEE OF THE HOUSE OF
27 REPRESENTATIVES.

28 [(R)] (S) EXPIRATION.--THIS SECTION SHALL EXPIRE JULY 15,
29 [2017] 2027.

30 [(S)] (T) DEFINITIONS.--AS USED IN THIS SECTION:

1 (1) THE TERM "DESIGNEE" SHALL INCLUDE A PERSON, BUSINESS
2 ENTITY OR GOVERNMENTAL ENTITY, INCLUDING THE DEPARTMENT.

3 (2) THE TERM "MUNICIPALITY" MEANS:

4 (I) A CITY, BOROUGH OR TOWNSHIP WITH A POPULATION
5 UNDER THE 2010 FEDERAL DECENNIAL CENSUS EXCEEDING 20,000
6 WITH A POLICE AGENCY ACCREDITED BY THE PENNSYLVANIA
7 CHIEFS OF POLICE ASSOCIATION IN A COUNTY OF THE SECOND
8 CLASS A.

9 (II) A CITY, BOROUGH OR TOWNSHIP WITH A POPULATION
10 UNDER THE 2010 FEDERAL DECENNIAL CENSUS EXCEEDING 20,000
11 WITH A POLICE AGENCY ACCREDITED BY THE PENNSYLVANIA
12 CHIEFS OF POLICE ASSOCIATION IN A COUNTY OF THE THIRD
13 CLASS WITH A POPULATION BETWEEN 490,000 AND 510,000.

14 (III) A CITY OF THE SECOND CLASS.

15 Section ~~4~~ 5. Section 9511(e.1) of Title 75 is amended to <--
16 read:

17 § 9511. Allocation of proceeds.

18 * * *

19 (e.1) Allocation [to municipalities] for traffic signals.--
20 In addition, up to \$10,000,000 for fiscal year 2014-2015, up to
21 \$25,000,000 for fiscal year 2015-2016 and up to \$40,000,000 for
22 fiscal year 2016-2017 and each fiscal year thereafter, is
23 appropriated out of the Motor License Fund to replace,
24 synchronize, time, operate and maintain traffic signals within
25 traffic corridors consistent with 74 Pa.C.S. Ch. 92 (relating to
26 traffic signals). The funds shall be used for municipal and
27 department-managed signals and allocated in accordance with the
28 following:

29 (1) During fiscal year 2014-2015, up to \$10,000,000 is
30 allocated to municipalities for upgrading traffic signals to

1 light-emitting diode technology and for performing regional
2 operations such as retiming, developing special event plans
3 and monitoring traffic signals.

4 (2) During fiscal year 2015-2016, up to \$25,000,000
5 shall be allocated to municipalities for upgrading traffic
6 signals to light-emitting diode technology, performing
7 regional operations such as retiming, developing special
8 event plans and monitoring traffic signals and for
9 maintaining and operating traffic signals.

10 (3) During fiscal year 2016-2017 and each fiscal year
11 thereafter, up to \$40,000,000 shall be allocated [to
12 municipalities] for upgrading traffic signals to light-
13 emitting diode technology and intelligent transportation
14 system applications, such as autonomous and connected
15 vehicle-related technology, performing regional operations
16 such as retiming, developing special event plans and
17 monitoring traffic signals and for maintaining and operating
18 traffic signals.

19 (4) Financial assistance under this section shall be
20 matched by [municipal or private cash] funding in an amount
21 not less than [50%] 20% of the amount of the financial
22 assistance being provided. Except for transportation
23 improvement program funds, the match may consist of any
24 combination of Federal, State, regional, local and private
25 funds, including in-kind contributions such as an exchange of
26 services between the department and municipality. Any grant
27 made under this subsection shall be allocated for two
28 consecutive fiscal years and shall not lapse at the end of
29 the fiscal year when the grant was awarded.

30 (5) The department shall establish guidelines for

1 applications and approval of applications from municipalities
2 or metropolitan or rural planning organizations for the
3 financial assistance being provided. Applicants must enter
4 into agreements provided for under 74 Pa.C.S. Ch. 92.
5 Priority will be given to multimunicipal improvements.

6 * * *

7 Section 5 6. This act shall take effect in 60 days.

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