

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 472 Session of 2023

INTRODUCED BY BOSCOLA, KEARNEY, DILLON AND COSTA, MARCH 14, 2023

REFERRED TO TRANSPORTATION, MARCH 14, 2023

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled
 2 "An act relating to the finances of the State government;
 3 providing for cancer control, prevention and research, for
 4 ambulatory surgical center data collection, for the Joint
 5 Underwriting Association, for entertainment business
 6 financial management firms, for private dam financial
 7 assurance and for reinstatement of item vetoes; providing for
 8 the settlement, assessment, collection, and lien of taxes,
 9 bonus, and all other accounts due the Commonwealth, the
 10 collection and recovery of fees and other money or property
 11 due or belonging to the Commonwealth, or any agency thereof,
 12 including escheated property and the proceeds of its sale,
 13 the custody and disbursement or other disposition of funds
 14 and securities belonging to or in the possession of the
 15 Commonwealth, and the settlement of claims against the
 16 Commonwealth, the resettlement of accounts and appeals to the
 17 courts, refunds of moneys erroneously paid to the
 18 Commonwealth, auditing the accounts of the Commonwealth and
 19 all agencies thereof, of all public officers collecting
 20 moneys payable to the Commonwealth, or any agency thereof,
 21 and all receipts of appropriations from the Commonwealth,
 22 authorizing the Commonwealth to issue tax anticipation notes
 23 to defray current expenses, implementing the provisions of
 24 section 7(a) of Article VIII of the Constitution of
 25 Pennsylvania authorizing and restricting the incurring of
 26 certain debt and imposing penalties; affecting every
 27 department, board, commission, and officer of the State
 28 government, every political subdivision of the State, and
 29 certain officers of such subdivisions, every person,
 30 association, and corporation required to pay, assess, or
 31 collect taxes, or to make returns or reports under the laws
 32 imposing taxes for State purposes, or to pay license fees or
 33 other moneys to the Commonwealth, or any agency thereof,
 34 every State depository and every debtor or creditor of the
 35 Commonwealth," establishing the Snow and Ice Removal Safety

1 Grant Program and the Snow and Ice Removal Safety Grant
2 Program Account; and making an appropriation.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. The act of April 9, 1929 (P.L.343, No.176), known
6 as The Fiscal Code, is amended by adding an article to read:

7 ARTICLE I-K

8 SNOW AND ICE REMOVAL SAFETY GRANT PROGRAM

9 Section 101-K. Definitions.

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

13 "Account." The Snow and Ice Removal Safety Grant Program
14 Account established under section 103-K(a).

15 "Applicant." An applicant for a grant award under the
16 program.

17 "Department." The Department of Transportation of the
18 Commonwealth.

19 "Eligible applicant." An applicant who is eligible to
20 receive a grant award under the program.

21 "Motor carrier vehicle." Any of the following:

22 (1) A truck, truck tractor or combination of a truck and
23 truck tractor having a gross vehicle weight rating, gross
24 combination weight rating, registered gross weight,
25 registered combination weight or actual gross weight of
26 17,001 pounds or more.

27 (2) A truck, truck tractor or combination of a truck and
28 truck tractor engaged in interstate commerce and having a
29 gross vehicle weight rating, gross combination weight rating,
30 registered gross weight, registered combination weight or
31 actual gross weight of 10,001 pounds or more.

1 "Program." The Snow and Ice Removal Safety Grant Program
2 established under section 102-K(a).

3 "Snow and ice removal device." Any apparatus, equipment or
4 technology used to remove snow and ice from the roof of motor
5 carrier vehicles.

6 Section 102-K. Snow and Ice Removal Safety Grant Program.

7 (a) Establishment.--The Snow and Ice Removal Safety Grant
8 Program is established within the department for the purpose of
9 developing snow and ice removal devices at locations across this
10 Commonwealth. The department shall award a grant under the
11 program to an eligible applicant for the purpose of funding the
12 purchase, installation or utilization of snow and ice removal
13 devices at locations across this Commonwealth.

14 (b) Use of money.--A recipient of a grant award under the
15 program shall use the grant money to purchase, install or
16 utilize a snow and ice removal device that will remove snow and
17 ice from motor carrier vehicles at a location in this
18 Commonwealth. A recipient of a grant award under the program
19 shall use the grant money to purchase, install or utilize a snow
20 and ice removal device at a location that is convenient and
21 easily accessible to motor carrier vehicles, including a service
22 area, a weigh station, an inspection facility, a port, a
23 terminal or another intermodal transportation facility. A
24 recipient of a grant award under the program may use the grant
25 money to cover other direct costs related to a snow and ice
26 removal device for a project approved by the department.

27 (c) Operation and fees.--

28 (1) A recipient of a grant award under the program shall
29 operate a snow and ice removal device at a location in
30 accordance with regulations promulgated by the department

1 under section 109-K.

2 (2) A recipient of a grant award under the program may
3 charge a user fee for the use of a snow and ice removal
4 device to pay for the costs associated of operating and
5 maintaining the associated facilities and equipment.

6 (d) Award limits.--Subject to the availability of grant
7 money for the program, the department may not provide a grant
8 award to an eligible applicant in excess of \$50,000 per snow and
9 ice removal device location or \$150,000 for all snow and ice
10 removal device locations.

11 Section 103-K. Snow and Ice Removal Safety Grant Program
12 Account.

13 (a) Establishment.--The Snow and Ice Removal Safety Grant
14 Program Account is established as a restricted account in the
15 General Fund. Money is appropriated from the account to the
16 department for the purposes specified under subsection (c). The
17 appropriation shall not lapse.

18 (b) Deposits.--The State Treasurer, in collaboration with
19 the department, shall deposit money received by the department
20 from fines imposed and collected as a result of enforcement
21 under 75 Pa.C.S. § 3721 (relating to snow and ice) into the
22 account.

23 (c) Use of money.--The department shall use the money
24 deposited into the account under subsection (b) only for the
25 following purposes:

26 (1) Establishing the program to provide incentives to
27 eligible applicants to purchase, install and utilize snow and
28 ice removal devices for motor carrier vehicles at locations
29 across this Commonwealth.

30 (2) Offsetting costs associated with a public awareness

1 campaign related to snow and ice removal. The department may
2 use no more than 3% of the annual account balance for the
3 purpose specified under this paragraph.

4 (3) Offsetting the administrative costs of the program.
5 The department may use no more than 3% of the annual account
6 balance for the purpose specified under this paragraph.

7 Section 104-K. Application form.

8 The department shall develop an application form for an
9 applicant to apply for grant awards under the program. The form
10 shall include all of the following information:

11 (1) The name, address and contact information of the
12 applicant.

13 (2) The amount of grant money requested.

14 (3) The proposed use for the grant award.

15 (4) Any other information the department deems
16 necessary.

17 Section 105-K. Notice of availability and award of grants.

18 The department shall provide information regarding the
19 availability and award of grant money under the program on the
20 department's publicly accessible Internet website.

21 Section 106-K. Award of grants.

22 (a) Determination.--Within 60 days of the submission and
23 review of an application for a grant award under the program,
24 the department shall determine the applicant's eligibility for
25 the grant money. Upon approving the application, the department
26 shall award a grant amount to the eligible applicant in
27 accordance with section 102-K(d).

28 (b) Notice.--The department shall provide the following
29 written notice to an applicant:

30 (1) The amount of the grant money awarded under the

1 program, if any, and the conditions or restrictions on the
2 use of the grant money.

3 (2) If part or all of the application is denied, the
4 reason for the full or partial denial.

5 (c) Other information.--If the department requests
6 additional information from an applicant for the purpose of
7 reviewing an application for a grant award under the program,
8 the applicant shall immediately provide the additional
9 information to the department.

10 Section 107-K. Appropriation.

11 In accordance with section 1703-A, the sum of \$2,000,000 is
12 appropriated to the department from the Budget Stabilization
13 Reserve Fund to administer the program and fund grants awarded
14 under the program.

15 Section 108-K. Report.

16 No later than December 31, 2024, the department shall publish
17 a report that lists each receipt of a grant award under the
18 program and a summary of the information provided in each
19 application form under section 104-K on the department's
20 publicly accessible Internet website.

21 Section 109-K. Regulations.

22 The department shall promulgate regulations necessary to
23 implement this article.

24 Section 2. This act shall take effect in 60 days.