

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2021-02, AS AMENDED]

Governor's Transportation Revenue Options Commission

March 18, 2021

Whereas, The Commonwealth of Pennsylvania, through the Department of Transportation (PennDOT) manages nearly 40,000 miles of roads and more than 25,400 bridges, key components of a transportation system that is vital to the economic well-being of Pennsylvania; and

Whereas, the local governments of Pennsylvania manage over 77,000 miles of roads, more than 6,400 locally owned bridges and approximately 14,000 traffic signals, while facing significant funding challenges for the maintenance of their systems; and

Whereas, the Commonwealth's 35 fixed transit route operators, which provide more than 300 million rides annually to the people of Pennsylvania, along with the Commonwealth-supported Amtrak services in the state, face operational and capital impacts if funding commitments of Act 44 of 2007 and Act 89 of 2013 are altered to remove stable funding; and

Whereas, Pennsylvania has aggressively assisted private sector operators in enhancing their systems, since effective use of rail freight corridors significantly eases congestion, especially on interstates, yet operators continue to need and seek support from state and federal governments for stronger public-private partnerships to further enhance rail freight; and

Whereas, there are more than 600 public and private use airports and heliports in Pennsylvania that support the movement of goods and people; and

Whereas, revenues from the Motor License Fund have lagged behind the significant rates of inflation in materials and construction costs needed to keep the road and bridge systems in a state of good repair; and

Whereas, the Motor License Fund will not sustain the Commonwealth's road and bridge needs as increasing vehicle fuel efficiency and industry transition toward electronic technologies reduces motor fuel revenues; and

Whereas, despite reducing the number of poor-condition state-owned bridges from over 6,000 in 2008 to approximately 2,500 today, the average bridge life is over 50 years old, and sustained investment is critical to ensure maintenance, preservation, and replacement can continue as these bridges move into the "poor-condition" category; and

Whereas, there are roughly 9,600 miles of pavement in poor condition; and

Whereas, in 2019, the State Transportation Advisory Committee identified major risks to transportation funding such as reduced fuel revenues, unpredictable federal funding, and legislative changes to reduce commitments; and

Whereas, PennDOT's latest assessment places the annual gap of its needs in all modes and facilities at \$9.3 billion, growing to an annual \$14.5 billion gap by 2030; and

Whereas, Federal inaction on transportation funding and increased asset management demands have required increased spending on federally eligible roadways while reducing revenue available for secondary or lower-traffic roadways; and

Whereas, many regions of the Commonwealth have critical needs for capacity expansion and connection improvements; and

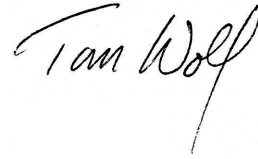
Whereas, the Commonwealth has a responsibility to ensure a transportation system that supports the current needs, and future growth, of both its citizens' quality of life and the economy; and

Whereas, the safety of drivers depends on a properly maintained and updated transportation system; and

Whereas, PennDOT has developed PennDOT Pathways, a long-term program to analyze and implement new future-focused sources of funding for the Commonwealth's transportation system that could better serve our communities and all Pennsylvanians for the next generation; and,

Whereas, it has been determined that the Governor and the Commonwealth would benefit from the advice and counsel of an official advisory commission comprised of key stakeholders, including experts from the transportation industry, environmental community, business community, energy community, multimodal community and local government representatives.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby establish the Governor's Transportation Revenue Options Commission as hereinafter set forth.



Governor

Fiscal Note: GOV-2021-02 (Amended). No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter MMM. GOVERNOR'S TRANSPORTATION REVENUE OPTIONS COMMISSION

Sec.	Purpose.
6.771.	Purpose.
6.772.	Responsibilities.
6.773.	Composition.
6.774.	Terms of membership.
6.775.	Compensation.
6.776.	Staffing.
6.777.	Cooperation by State agencies.
6.778.	Reports.
6.779.	Effective date.
6.780.	Termination date.

§ 6.771. Purpose.

The Governor's Transportation Revenue Options Commission shall develop a comprehensive, strategic proposal for addressing the transportation funding needs of the Commonwealth.

§ 6.772. Responsibilities.

The Governor's Transportation Revenue Options Commission (Commission) shall:

a. Study and prepare a comprehensive list of potential revenue sources available for current and future funding of transportation in the Commonwealth for all modes of transportation. The funding sources must be reliable, dedicated, inflation sensitive and adaptive to changing environmental factors;

b. Prepare a comprehensive, strategic Commonwealth transportation funding proposal;

c. Provide interim reports and recommendations to the Governor, as determined to be appropriate by the Commission Chair, and submit a Final Report, to the Governor and the General Assembly as determined to be appropriate by the Commission Chair;

d. Convene its first meeting no later than March 25, 2021, with subsequent meetings as determined by members of the Commission. A simple majority of the members shall constitute a quorum; and

e. Adopt rules of procedure consistent with the provisions of this subchapter.

§ 6.733. Composition.

The Governor's Transportation Revenue Options Commission (Commission) shall consist of the following members:

a. The Secretary of Transportation, who shall serve as Chair of the Commission; and

b. The Majority and Minority Chairs of the Transportation and Appropriations Committees of the Pennsylvania House and Senate shall be invited to participate as members of the Commission; and

c. A minimum of 30 and a maximum of 40 appointees, representing, inter alia, the interests of all transportation modes, environmental, energy, industry, local and State government, who shall be chosen by and serve at the pleasure of the Governor, shall be invited to participate as members of the Commission.

§ 6.774. Terms of membership.

The members of the Governor's Transportation Revenue Options Commission (Commission) shall serve from the date of their appointment by the Governor until August 1, 2021, or their removal from the Commission by the Governor, whichever occurs first. The Governor may fill vacancies that may occur and may remove any member from the Commission at the Governor's discretion.

§ 6.775. Compensation.

Members of the Governor's Transportation Revenue Options Commission (Commission) will receive no compensation for their service as Commission members. Non-government members will be reimbursed for travel and related expenses in accordance with the Commonwealth policy. See Chapter 40 (relating to travel and subsistence).

§ 6.776. Staffing.

The Department of Transportation shall provide administrative staff resources to support the Governor's Transportation Revenue Options Commission.

§ 6.777. Cooperation by State agencies.

All agencies under the Governor's jurisdiction shall cooperate with and provide assistance and support as needed by the Governor's Transportation Revenue Options Commission to carry out its functions effectively.

§ 6.778. Reports.

In addition to the interim recommendations described previously, the Governor's Transportation Revenue Options Commission (Commission) shall submit to the Governor a final report on the Commission's activities, as determined to be appropriate by the Commission Chair, but in no event later than August 1, 2021.

§ 6.779. Effective date.

This subchapter shall take effect immediately.

§ 6.780. Termination date.

This subchapter shall remain in effect until August 1, 2021.

[Pa.B. Doc. No. 21-503. Filed for public inspection April 2, 2021, 9:00 a.m.]