

Regulatory Analysis Form

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Regulatory Analysis Form		This space for use by IRRC	
(1) Agency Transportation		Cocodrilli	
(2) I.D. Number (Governor's Office Use) #18-352		IRRRC Number: 2068	
(3) Short Title Distribution of Highway Maintenance Funds			
(4) PA Code Cite 67 Pa. Code, Chapter 453		(5) Agency Contacts & Telephone Numbers Primary Contact: J. Michael Long, P.E. (717) 787-1153 Secondary Contact: Janice. Arellano, P.E. (717) 787-7294	
(6) Type of Rulemaking (Check One) <input checked="" type="checkbox"/> Proposed Rulemaking <input type="checkbox"/> Final Order Adopting Regulation <input type="checkbox"/> Final Order, Proposed Rulemaking Omitted		(7) Is a 120-Day Emergency Certification Attached? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes: By the Attorney General <input type="checkbox"/> Yes: By the Governor	
(8) Briefly explain the regulation in clear and non-technical language. The purpose of these regulations is to rescind 67 Pa Code 453, Distribution of Highway Maintenance Funds. Chapter 453 is the promulgation of the standards and methodology for pavement distress data collection.			
(9) State the statutory authority for the regulation and any relevant state or federal court decisions. The statutory authority for these regulations is Sections 6103 and 9104 of the Vehicle Code, Act of June 17, 1976, P.L. 162, No. 81, as amended by the Act of April 17, 1997, P.L. 6, No. 3 (75 Pa.C.S. §§6103 and 9104).			
(10) Is the regulation mandated by any federal or state law or court, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action. No, these regulations are not mandated by federal or state law or court order.			

Regulatory Analysis Form

(11) Explain the compelling public interest that justifies this regulation. What is the problem it addresses?

The public interest that justifies these regulations is that as a consequence of the Act of April 17, 1997, P.L.6, No. 3 (75 Pa.C.S. §9104) subsequent amendment of the standard and methodology for data collection for determining the Relative Quality Index may now be established by publication of a notice within the Pennsylvania Bulletin. Elimination of these regulations is consistent with Executive Order 1996-1 Regulatory Review and Promulgation by rescinding unnecessary regulations.

(12) State the public health, safety, environmental or general welfare risks associated with non-regulation.

The public health, safety, and general welfare risks associated with non-regulations relate to the coordinated effort to provide safe, efficient roadways throughout this Commonwealth. Although 67 pa. Code 453 is being rescinded, subsequent amendment of the standards and methodology for data collection will be promulgated as a notice under the auspices of Section 9104 of the Vehicle Code.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

These regulations will benefit the Department, its maintenance engineering districts and, ultimately, the general motoring public of this Commonwealth by making it easier to effect changes to the standards and methodology for data collection by publication of a notice within the Pennsylvania Bulletin as opposed to implementation of a rulemaking process.

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

The rescission of these regulations will not adversely affect the Department's maintenance engineering districts nor the general motoring public since the rules for actual distribution of maintenance funds will continue to exist at 75 Pa.C.S. Chapter 91. Further, any subsequent changes to determine the standards and methodology for data collection will be accomplished by a two-step notice process. The first notice will inform the public of the Department's desired changes for data collection and solicit comment regarding the same. The second notice will be published, after reviewing all comments, and will announce the standards and methodology that the Department will employ in subsequent years.

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

The rescission of these regulations affects the Department, its engineering maintenance districts, and the general motoring public. Although these regulations are being rescinded, the rules for distribution of highway maintenance funds will continue to exist in the Vehicle Code (75 Pa.C.S. §101, et seq.).

Regulatory Analysis Form

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

These regulations are being rescinded as a consequence of the enactment of the Act of April 17, 1997, P.L. 6, No. 3 (75 Pa.C.S. §9104), which provides that the Department may determine, in subsequent years, the standards and methodology for data collection by publication of a notice in the Pennsylvania Bulletin. Accordingly, the Department has not solicited public participation in the development of a regulatory package to rescind these regulations. The Department, however, is rescinding these regulations with a rulemaking process, thus providing a thirty day public comment period. Further, these regulations will be forwarded for review and comment to the House and Senate Transportation Committees and the Independent Regulatory Review Committee (IRRC).

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

These regulations will not result in any costs or savings to the general motoring public.

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including and legal, accounting or consulting procedures which may be required.

These regulations will not occasion any costs or savings to local government.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including and legal, accounting or consulting procedures which may be required.

These regulations will not occasion any costs to state government. The Department of Transportation may realize some savings in the man hours required to effect changes to the standards and methodology for data collection since the same can now be accomplished through publication of a notice in the Pennsylvania Bulletin as opposed to a rulemaking process.

(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local governments, and state government for the current year and five subsequent years.

There are no costs associated with implementation of these regulations upon the general motoring public, local governments or state government since these regulations will rescind the existing Chapter 453. Distributing highway maintenance funds will continue to be regulated by the provisions of Chapter 91 of the Vehicle Code (75 Pa.C.S. §§9101 – 9106).

Regulatory Analysis Form

	Current FY Year	FY + 1 Year	FY + 2 Year	FY + 3 Year	FY + 4 Year	FY + 5 Year
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community	None					
Local Government	None					
State Government	Not Readily Measurable					
Total Savings						
COSTS:						
Regulated Community	None					
Local Government	None					
State Government	None					
Total Costs						
REVENUE LOSSES:						
Regulated Community	None					
Local Government	None					
State Government	None					
Total Revenue Losses						
<p>(20a) Explain how the cost estimates listed above were derived. There are no cost estimates derived because these regulations are a rescission of the existing 67 Pa. Code Chapter 453, Distribution of Highway Maintenance Funds and there are no costs associated with implementation of the same.</p>						
<p>(20b) Provide the past three year expenditure history for programs affected by this regulation. There is no expenditure history since no programs are affected by these regulations which rescind 67 Pa. Code Chapter 453, Distribution of Highway Maintenance Funds</p>						
Program	FY-3	FY-2	FY-1	CurrentFY		

Regulatory Analysis Form

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

The benefit of these regulations outweigh costs since these regulations impose no costs.

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

There were no nonregulatory alternatives considered since rescission of these regulations requires a rulemaking process. Changes to the standards and methodology, previously defined in Chapter 453, will be announced and comments solicited through the Pennsylvania Bulletin.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide reasons for their dismissal.

There were no alternative regulatory schemes considered since the only way to effect the desired changes would require a rulemaking with public comment.

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

No, these regulations are not more stringent than Federal Standards since there are no Federal Standards.

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

These regulations will not put Pennsylvania at a competitive disadvantage with other states.

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

These regulations will not affect existing or proposed regulations of the promulgating agency or other state agencies.

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

No public hearings or informational meetings will be scheduled. These regulations, however, will be forwarded to the House and Senate Transportation Committees and will be considered at a public meeting of the Independent Regulatory Review Commission.

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.

These regulations will not change any existing reporting, record keeping or other paperwork requirements.

Regulatory Analysis Form

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small business, and farmers.

Neither these regulations, nor this chapter at the time of initial promulgation, were developed to elevate the needs of any affected maintenance districts over others but rather to assure the distributing of highway maintenance funds in such a manner as to provide a reasonable balance of highway quality and conditions among the counties.

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

The Department anticipates publication of the notice of proposed rulemaking will occur in the Summer of 1999. After evaluation of all comments received, the Department will then proceed with the final adoption.

(31) Provide the schedule for continual review of the regulation.

The data collection process will be monitored by the Department for its effectiveness and changes incorporated consistent with the provisions of 75 Pa.C.S. §9104, when necessary.

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CDL-1

INDEPENDENT REGULATORY REVIEW

FACE SHEET
FOR FILING DOCUMENTS
WITH THE
LEGISLATIVE REFERENCE BUREAU

(Pursuant to Commonwealth Documents Law)

Copy below is hereby approved as to form and legality.
Attorney General

Christina S. Cooper
By: _____

(Deputy Attorney General)

SEP 13 1999.

Date of Approval

Check if applicable
Copy not approved. Objections attached.

Copy of below is hereby certified to be true and
correct copy of a document issued, prescribed or
promulgated by:

Department
of
Transportation
(Agency)

DOCUMENT/FISCAL NOTE NO. 18-352

DATE OF ADOPTION _____

BY *M.M. Ryan*

Deputy Secretary, Highway Administration
(Executive Officer, Chairman or Secretary)

Copy below is hereby approved as to
form and legality. Executive or
Independent Agencies.

Robert P. Gull
By: _____

8/31/91

(Date of Approval)

(Deputy General Counsel)
(~~Chief Counsel, Independent Agency~~)
(Strike Inapplicable Title)

Check if applicable. No attorney
General Approval or Objection within
30 days after submission.

NOTICE OF PROPOSED RULEMAKING

DEPARTMENT OF TRANSPORTATION
BUREAU OF MAINTENANCE AND OPERATIONS
TITLE 67. TRANSPORTATION
PART I. DEPARTMENT OF TRANSPORTATION
SUBPART B. VEHICLE CODE PROVISIONS
ARTICLE III. HIGHWAY

CHAPTER 453. DISTRIBUTION OF HIGHWAY MAINTENANCE FUNDS

Title 67. Transportation

Part I. Department of Transportation

Subpart B. Vehicle Code Provisions

Article III. Highway

Chapter 453. Distribution of Highway Maintenance Funds

Notice of Proposed Rulemaking

Notice is hereby given that the Department of Transportation, pursuant to the authority contained in Sections 6103 and 9104 of the Vehicle Code, Act of June 17, 1976, P.L. 162 No. 81, as amended by the Act of April 17, 1997, P.L. 6, No.3 (75 Pa. C.S. §§6103 and 9104), proposes to amend Title 67 of the Department of Transportation Regulations by rescinding Chapter 453 (Distribution of Highway Maintenance Funds) as set forth in Annex A to this notice.

PURPOSE OF THIS CHAPTER

The purpose of 67 Pa. Code Chapter 453 (Distribution of Highway Maintenance Funds) is to describe the standards and methodology for data collection for application of the rules governing distribution of State highway maintenance funds as set forth in 75 Pa.C.S. Chapter 91 (relating to State highway maintenance), in such a manner to provide a reasonable balance of highway quality and conditions among the counties.

PURPOSE OF THIS REGULATION

The purpose of these regulations is to rescind 67 Pa. Code Chapter 453 (Distribution of Highway Maintenance Funds). The Chapter 453 is no longer needed because §9104 of the Vehicle Code, Act of June 17, 1976, P.L. 162, No. 81 as amended by the Act of April 17, 1997, P.L. 6, No. 3 no longer requires the promulgation of standards and methodology for data collection in the form of regulations. Changes to the standards and methodology for data collection are to be published as a notice in the Pennsylvania Bulletin.

The Department of Transportation will publish all changes to the standards and methodology for data collection in the Pennsylvania Bulletin. A notice will first be announced in the Pennsylvania Bulletin that a change to the standards and methodology of data collection is being considered. After a sufficient amount of time has passed for questions or comments concerning the proposed change, a notice of the change(s) to the standards and methodology for data collection will be published in the Pennsylvania Bulletin.

PERSONS AND ENTITIES AFFECTED

These regulations affect all Department maintenance districts within the Commonwealth and the general motoring public which has occasion to use the state roadway network.

FISCAL IMPACT

These regulations will not impose any increase costs on private persons, state or local governments. These regulations will not occasion the development of any additional reports or other paperwork requirements.

REGULATORY REVIEW

Under Section 5(a) of the Regulatory Review Act, Act of June 30, 1989 (P.L. 73, No. 19) (71 P.S. 745.1-745.15), the agency submitted, on September 21, 1994, a copy of the proposed regulations to the Independent Regulatory Review Commission and to the Chairmen of the House and Senate Committees on Transportation. In addition to submitting these regulations, the agency has provided the Commission and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the agency in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

If the Commission has any objections to any portions of the proposed regulations, it will notify the agency by _____. Such notification shall specify the regulatory review criteria which have not been met by that portion. The Act specifies detailed procedures for review, prior to final publication of the regulation, by agency, the General Assembly and the Governor for objections raised.

SUNSET DATE

The Department is not establishing a sunset date for these regulations since these regulations are being rescinded.

PUBLIC COMMENTS

Interested persons are invited to submit, within thirty (30) days of publication of this notice in the Pennsylvania Bulletin, written comments, suggestions or objections regarding the proposed amendments to J. Michael Long, P.E., Section Chief, Roadway Management Division, Bureau of Maintenance and Operations, 555 Walnut Street, 7th Fl. Forum Place, Harrisburg, Pennsylvania 17120.

CONTACT PERSON

The contact person is: J. Michael Long, P.E., Section Chief, Roadway Management Division, Bureau of Maintenance and Operations, 555 Walnut Street, 7th Fl. Forum Place, Harrisburg, Pennsylvania 17101, (717) 787-6899.

Michael M. Ryan, P.E.
Deputy Secretary for
Highway Administration

ANNEX A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

SUBPART B. VEHICLE CODE PROVISIONS

ARTICLE III. HIGHWAY

[CHAPTER 453. DISTRIBUTION OF HIGHWAY MAINTENANCE FUNDS] Reserved

§ 453.1. [Purpose.]

This chapter describes the standards and methodology for data collection for application of the rules governing distribution of State highway maintenance funds as set forth in 75 Pa.C.S. Chapter 91 (relating to State highway maintenance), in such a manner to provide a reasonable balance of highway quality and conditions among the counties.

§ 453.2. Data Sources.

The following sources will be used in the collection of annual data to be used in distributing State highway maintenance funds:

(1) *Base Allocation.* The source of data for the base allocation is

the certification by the Governor of the higher of the 1978-79 or 1979-80 estimates - as of May 1980 - of maintenance expenditures and commitments. See 75 Pa.C.S. § 9101 (relating to definitions).

- (2) *Bridge deck (BD)*. The source of data for the number of square feet of State highway bridge deck in each county is the Department's Bridge Management System compiled by the Bureau of Bridge and Roadway Technology.
- (3) *Lane miles (LM)*. The source of data for the number of actual State highway lane miles in each county is the Department's Roadway Management System compiled by the Bureau of Strategic Planning.
- (4) *Snow Index (SI)*. The source of data for computing the snowfall index for each county is the National Oceanic and Atmospheric Administration Environmental Data and Information Service.
- (5) *Vehicle miles (VM)*. The source of data for the total number of miles traveled by all vehicles on State-maintained roads within a county is the Department's Roadway Management System compiled by the Bureau of Strategic Planning.
- (6) *Relative pavement quality index (RPQI)*.
 - (i) The sources of data for the RPQI are the truck vehicle miles compiled by the Bureau of Strategic Planning and the roadway needs report described in § 453.3 (relating to roadway needs report).

(ii) The formula used to calculate the RPQI for a given county is: $RPQI_c = (.80 STAMPP_c + .15 D_c \& G_c + .05 TVMT)_c$.

Where:

$RPQI_c$ = Relative Pavement Quality Index for county c, expresses as a percentage of the Commonwealth total. (Commonwealth total = 100%)

$STAMPP_c$ = Relative pavement and shoulder needs in county c from the annual STAMPP (Systematic technique to Analyze and Manage Pennsylvania Pavements) system, expresses as a percentage of the total needs from the STAMPP pavement and shoulder survey in this Commonwealth.

$D_c \& G_c$ = relative Drainage and Guide Rail needs in county c from the cyclical STAMPP drainage survey and the cyclical STAMPP guide rail survey, expressed as a percentage of the total needs from the STAMPP drainage survey and the STAMPP guide rail survey in this Commonwealth.

$TVMT_c$ = The number of truck vehicle miles traveled in county c expressed as a percentage of the total truck vehicle miles traveled in this Commonwealth. This reflects the impact of truck usage on the highway network.

§ 453.3. Roadway needs report.

(a) The roadway needs report will be prepared once each calendar

year using the latest criteria established for the Systematic Technique to Analyze and Manage Pennsylvania Pavements (STAMPP) Program. The latest STAMPP condition survey data will be used and the latest criteria of STAMPP treatment strategies will be applied in a uniform manner to establish the STAMPP relative roadway needs for each county. STAMPP will use a 100% sample.

(b) The following roadway conditions from STAMPP will be used to develop the needs report:

- (1) Rigid (concrete) pavements.
 - (i) Joint seal failure.
 - (ii) Longitudinal joint spalling.
 - (iii) Transverse cracking.
 - (iv) Transverse joint spalling.
 - (v) Faulting.
 - (vi) Broken Slab.
 - (vii) Bituminous patching.
 - (viii) General surface defects.
 - (ix) Rutting.
- (2) Bituminous surface pavements.
 - (i) Excess asphalt.
 - (ii) Raveling and weathering.
 - (iii) Block cracking.
 - (iv) Transverse/longitudinal cracking.

- (v) Alligator cracking.
 - (vi) Edge deterioration.
 - (vii) Bituminous patching.
 - (viii) Potholes.
 - (ix) Widening drop-off.
 - (x) Profile distortion.
 - (xi) Rutting.
- (3) Paved shoulders.
- (i) Lane/shoulder separation.
 - (ii) Deterioration.
 - (iii) Slope.
 - (iv) Buildup.
 - (v) Drop-off.
- (4) Unpaved shoulders.
- (i) Slope.
 - (ii) Buildup.
 - (iii) Drop-off.

(c) The Department may make changes to the Pavement Condition Survey Field Manual subject to prior notice of those changes published in the *Pennsylvania Bulletin*.

§ 453.4. Methodology.

The methodology set forth in this section will be used in distributing State highway maintenance funds.

(1) *Definition of terms.* The following words and terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise:

AAHH = Sum of AAHH_c in each county.

AAHH_c = Additional allocation to hold harmless each county, defined as .05 BA_c - ASHMA_c for those counties with ASHMA_c less than or equal to .05 BA_c, and zero for the remaining counties.

ASHMA = SHMA - .95 BA.

BA = Total base allocation for counties.

BA_c = Base allocation for each county expressed in dollars.

BD_c = Square feet of State highway bridge deck in each county as a proportion of the total square feet of State highway bridge deck in the Commonwealth.

LM_c = State highway lane miles in each county as a proportion of the total State highway lane miles in the Commonwealth.

RPQI_c = Relative pavement quality index in each county as defined in § 453.2 (relating to data sources).

SHMA = The total State highway maintenance appropriations and executive authorizations for a fiscal year.

SHMA_c = Each county's share of the total State highway maintenance appropriations and executive authorizations for a fiscal year.

SI_c = Snow index in each county, defined as the product of an average of the immediately preceding 4 calendar years' snow days for

each county times the number of State highway lane miles in that county as a proportion of the sum of such products (snow days times lane miles) for counties in this Commonwealth. A snow day is defined as a day in which the snowfall reached or exceeded 1 inch in depth.

UAA = The adjusted additional allocation to the counties not requiring hold harmless provisions, defined as the sum of $ASHMA_c$ in counties with $ASHMA_c$ exceeding $.05 BA_c$.

VM_c = Total number of miles traveled by vehicles on State-maintained roads in each county expressed as proportion of the total of such vehicle miles in the Commonwealth.

(2) Allocation procedures. Allocation procedures will be as follows:

(i) If SHMA is less than or equal to BA, then:

$$SHMA_c = SHMA(BA_c/BA)$$

(ii) If SHMA is greater than BS, then:

(A) For counties with $ASHMA_c$ less than equal to $.05 BA_c$,

$$SHMA_c = BA_c.$$

(B) For other counties with $ASHMA_c$ greater than $.05 BA_c$:

(I) If a county has BA_c : $(ASHMA_c/UAA)(UAA-AAHH)$

(-A-) For each such county, $SHMA_c = BA_c$.

(-B-) UAA and AAHH will be recomputed and step

(B) (I) procedure repeated.

(II) If no county has

$(ASHMA_c/UAA) (UAA-AAHH)$ less than $.05 BA_c$,

then $SHMA_c = .95 BA_c + (ASHMA_c/UAA) (UAA-AAHH)$]

Reserved



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Office of Chief Counsel
555 Walnut Street - 9th Floor
Harrisburg, Pennsylvania 17101-1900
(717) 787-5473

September 21, 1999

The Honorable Roger Madigan, Majority Chairman
Senate Transportation Committee
Room 286
Main Capitol Building
Harrisburg, Pennsylvania 17120

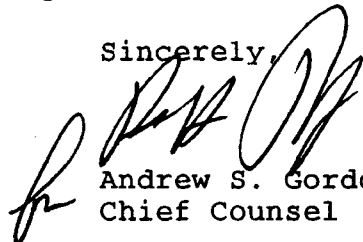
Re: Distribution of Highway Maintenance Funds
#18-352

Dear Senator Madigan:

Attached for review by your committee, pursuant to the Regulatory Review Act (71 P.S. 745, et seq.), is a copy of notice of proposed rulemaking. Section 5(b.2) of the Act provides that standing committees should review notice of proposed rulemakings within 20 calendar days from the closing date of the public comment period. The regulation will be published in the Pennsylvania Bulletin on October 2, 1999.

The Department of Transportation will provide your committee with any assistance you require to facilitate a thorough review of this proposal.

Sincerely,



Andrew S. Gordon
Chief Counsel

220/ASG/JM/mls

Attachment

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION



Office of Chief Counsel
. 555 Walnut Street - 9th Floor
Harrisburg, Pennsylvania 17101-1900
(717) 787-5473

September 21, 1999

The Honorable J. Barry Stout, Minority Chairman
Senate Transportation Committee
Room 10E-East Wing
Main Capitol Building
Harrisburg, Pennsylvania 17120

Re: Distribution of Highway Maintenance Funds
#18-352

Dear Senator Stout:

Attached for review by your committee, pursuant to the Regulatory Review Act (71 P.S. 745, et seq.), is a copy of notice of proposed rulemaking. Section 5(b.2) of the Act provides that standing committees should review notice of proposed rulemakings within 20 calendar days from the closing date of the public comment period. The regulation will be published in the Pennsylvania Bulletin on October 2, 1999.

The Department of Transportation will provide your committee with any assistance you require to facilitate a thorough review of this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "A. S. Gordon", is written over the typed name and title.

Andrew S. Gordon
Chief Counsel

220/ASG/JM/mls

Attachment



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Office of Chief Counsel
555 Walnut Street - 9th Floor
Harrisburg, Pennsylvania 17101-1900
(717) 787-5473

September 21, 1999

The Honorable Richard A. Geist, Majority Chairman
House Transportation Committee
Room 147
Main Capitol Building
Harrisburg, Pennsylvania 17120

Re: Distribution of Highway Maintenance Funds
#18-352

Dear Mr. Geist:

Attached for review by your committee, pursuant to the Regulatory Review Act (71 P.S. 745, et seq.), is a copy of notice of proposed rulemaking. Section 5(b.2) of the Act provides that standing committees should review notice of proposed rulemakings within 20 calendar days from the closing date of the public comment period. The regulation will be published in the Pennsylvania Bulletin on October 2, 1999.

The Department of Transportation will provide your committee with any assistance you require to facilitate a thorough review of this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "A. S. Gordon", is written over the typed name and title.

Andrew S. Gordon
Chief Counsel

220/ASG/JM/mls

Attachment

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION



Office of Chief Counsel
555 Walnut Street - 9th Floor
Harrisburg, Pennsylvania 17101-1900
(717) 787-5473

September 21, 1999

The Honorable Joseph Battisto, Minority Chairman
House Transportation Committee
Room 324
Main Capitol Building
Harrisburg, Pennsylvania 17120

Re: Distribution of Highway Maintenance Funds
#18-352

Dear Mr. Battisto:

Attached for review by your committee, pursuant to the Regulatory Review Act (71 P.S. 745, et seq.), is a copy of notice of proposed rulemaking. Section 5(b.2) of the Act provides that standing committees should review notice of proposed rulemakings within 20 calendar days from the closing date of the public comment period. The regulation will be published in the Pennsylvania Bulletin on October 2, 1999.

The Department of Transportation will provide your committee with any assistance you require to facilitate a thorough review of this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "ASG", is written over the typed name.

Andrew S. Gordon
Chief Counsel

220/ASG/JM/mls

Attachment

TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT

RECEIVED


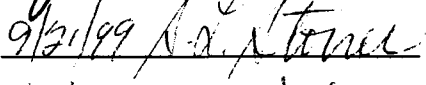
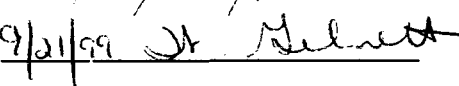
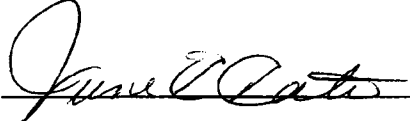
I.D. NUMBER: 18-352
SUBJECT: Distribution of Highway Maintenance Funds
AGENCY: DEPARTMENT OF TRANSPORTATION

1999 SEP 21 PM 3:51
INDEPENDENT REGULATORY
REVIEW COMMISSION

TYPE OF REGULATION

- X Proposed Regulation
Final Regulation
Final Regulation with Notice of Proposed Rulemaking Omitted
120-day Emergency Certification of the Attorney General
120-day Emergency Certification of the Governor
Delivery of Tolled Regulation
a. With Revisions b. Without Revisions

FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
9/21/99		HOUSE COMMITTEE ON TRANSPORTATION
9/21/99		
9/21/99		SENATE COMMITTEE ON TRANSPORTATION
9/21/99		
9/21/99		INDEPENDENT REGULATORY REVIEW COMMISSION
		ATTORNEY GENERAL
		LEGISLATIVE REFERENCE BUREAU