

<h1>Regulatory Analysis Form</h1> <p>(Completed by Promulgating Agency)</p>		<p><i>INDEPENDENT REGULATORY REVIEW COMMISSION</i></p>	
<p>(All Comments submitted on this regulation will appear on IRRC's website)</p>		<p style="writing-mode: vertical-rl; transform: rotate(180deg);">2014 JUL 16 AM 11:18</p>	
<p>(1) Agency: Transportation</p>			
<p>(2) Agency Number:</p>		<p>IRRC Number: 2960</p>	
<p>Identification Number: 18-431</p>			
<p>(3) PA Code Cite: 67 Pa. Code Chapter 443</p>			
<p>(4) Short Title: Roadside Rest Areas</p>			
<p>(5) Agency Contacts (List Telephone Number and Email Address):</p> <p>Primary Contact: Diane M. Chamberlin, Director, Bureau of Office Services, Pennsylvania Department of Transportation, 400 North Street, Harrisburg, Pa 17105, 717-783-8869, DCHAMBERLI@pa.gov.</p> <p>Secondary Contact: Terrence G. Pearsall Jr., Division Chief, Facility Management Division, Bureau of Office Services, Pennsylvania Department of Transportation, 400 North Street, Harrisburg, Pa 17105-3451, 717-787-0466 Office, 717-787-0462 Fax, TPEARSALL@pa.gov.</p>			
<p>(6) Type of Rulemaking (check applicable box):</p> <p><input type="checkbox"/> Proposed Regulation</p> <p><input checked="" type="checkbox"/> Final Regulation</p> <p><input type="checkbox"/> Final Omitted Regulation</p>		<p><input type="checkbox"/> Emergency Certification Regulation;</p> <p><input type="checkbox"/> Certification by the Governor</p> <p><input type="checkbox"/> Certification by the Attorney General</p>	
<p>(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)</p> <p>The purpose of these amendments to the regulation is to provide greater detail in the delineation of permissible and impermissible activities to ensure that Roadside Rest Areas and Welcome Centers (collectively "Roadside Rest Areas") continue to exist as comfortable, convenient, clean, attractive and safe places for the general motoring public to refresh themselves along Commonwealth highways.</p>			
<p>(8) State the statutory authority for the regulation. Include <u>specific</u> statutory citation.</p> <p>These amendments to the regulation are promulgated pursuant to the authority contained in Section 8 of the Act of June 7, 1961, (P.L. 257, No. 151) <i>as amended</i> (36 P.S. § 478.18).</p>			
<p>(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.</p>			

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These amendments to the regulation are not mandated by any federal or state law or court order or federal regulations.

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

Amendments to the regulation are required to further delineate the activities or actions permissible and impermissible at Roadside Rest Areas for the comfort, convenience, cleanliness, attractiveness, and safety of the general motoring public. These amendments to the regulation are justified by the interest in serving the motoring public's needs for a place to take breaks from driving to foster overall motorist safety. Millions of motorists will benefit from these amendments to the regulation.

(11) 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 regulations.

There are no applicable federal standards governing Roadside Rest Facilities.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania's ability to compete with other states?

These provisions are similar to regulations in Illinois, Maryland and Virginia. This regulation will not put Pennsylvania at a competitive disadvantage vis-à-vis other states.

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

These amendments will not affect other Department regulations or the regulations of any other Commonwealth agency.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. ("Small business"

is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

In addition to internal Department discussions among Welcome Center Program Office and other Department District and Central Office professionals, public input was obtained via complaints received and from on-site conversations with travelers utilizing Roadside Rest Areas.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

These amendments will affect those members of the motoring public who use Roadside Rest Areas. The purpose of these amendments to the regulation is to provide greater detail in the delineation of permissible and impermissible activities to ensure that Roadside Rest Areas continue to exist as comfortable, convenient, clean, attractive and safe places for the general motoring public to refresh themselves along Commonwealth highways. The amendments to the regulation should have no adverse impact on those members of the general motoring public, including small businesses, using the facilities for their intended purpose.

(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.

All members of the general motoring public who utilize the Commonwealth's Roadside Rest Areas will be required to comply with the regulation, including the proposed amendments.

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

There should be no discernible financial or economic impact from the amendments to the regulation. The purpose of these amendments is to provide greater detail in the delineation of impermissible activities at the Commonwealth's Roadside Rest Areas. Thus its practical social impact will be to continue assuring comfortable, convenient, clean, attractive and safe places for the general motoring public at these Roadside Rest Areas by further delineating the activities or actions which are inconsistent with their purpose. Roadside Rest Areas serve the greater goal of providing a place for motorists to take breaks, which have a positive impact on the overall safety of motorists.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

These amendments provide further clarity to the regulation regarding what activities are not compatible with the purpose of the Roadside Rest Areas. Any perceived additional restrictions for using Roadside

Rest Areas are outweighed by the enhancements to the traveler's experience in the use of the facilities and maintenance of their efficiency and restful character.

(19) 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. Explain how the dollar estimates were derived.

There should be no additional costs and/or savings to the regulated community associated with compliance with these amendments to the existing regulation.

(20) Provide a specific estimate of the costs and/or savings to the **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

There should be no additional costs and/or savings to the local governments associated with compliance with these amendments to the existing regulation.

(21) Provide a specific estimate of the costs and/or savings to the **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

There should be minimal, if any, additional costs and/or savings to the state government associated with compliance with these amendments to the existing regulation. Minimal additional monitoring or enforcement will be required at Roadside Rest Areas. It cannot be determined what impact the amendments to the regulation will have on such monitoring and enforcement responsibilities; however, given that the amendments to the regulation largely consist of better clarifying Roadside Rest Areas prohibitions, the Department believes the impact on enforcement will be minimal and can be conducted congruent with enforcement of existing rules.

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

There should be no additional legal, accounting or consulting procedures or additional reporting, recordkeeping or other paperwork associated with the implementation of these amendments.

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government

for the current year and five subsequent years.						
	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community						
Local Government						
State Government						
Total Savings	N/A	N/A	N/A	N/A	N/A	N/A
COSTS:						
Regulated Community						
Local Government						
State Government						
Total Costs	N/A	N/A	N/A	N/A	N/A	N/A
REVENUE LOSSES:						
Regulated Community						
Local Government						
State Government						
Total Revenue Losses	N/A	N/A	N/A	N/A	N/A	N/A

(23a) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3	FY -2	FY -1	Current FY
Appropriation 582, Program 714 ¹	\$ 63,455,180.29	\$ 66,803,170.51	\$ 65,528,899.00	\$ 61,743,288.00

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of

¹ While no additional expenditures are anticipated to result from this regulation, these figures represent that total Bureau of Maintenance and Operations (BOMO) Roadside Costs, of which a portion includes the maintenance and operations costs for Roadside Rest Areas and Welcome Centers.

the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

- (a) An identification and estimate of the number of small businesses subject to the regulation.
- (b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.
- (c) A statement of probable effect on impacted small businesses.
- (d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

There is no expected adverse impact on small businesses. These amendments to the regulation will affect those members of the general motoring public who use Roadside Rest Areas by modifying the rules for use of such facilities.

Please note: This regulation was submitted as a Proposed Rulemaking prior to the enactment of the amendments to the Regulatory Review Act, Act 76 of 2012. Nevertheless, the Department will address the above subparagraphs:

- (a) All motorists utilizing Roadside Rest Areas, including employees of small businesses, are subject to this regulation.
- (b) No reporting, recordkeeping and other administrative costs, including professional skills, are required for compliance with the regulation.
- (c) There is no probable effect on small businesses.
- (d) There are no less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation as there are no costs associated with achieving the purpose of the regulation.

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

No special provisions were developed to meet the particular needs of affected groups or persons, including minorities, the elderly, small businesses, and farmers.

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

There were no alternative regulatory alternatives considered. The modifications to the Roadside Rest Areas could not be effected without amendment of the regulation. This regulatory package strikes a balance between imposing additional restrictions with the stated purpose of the regulation.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;

- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
- c) The consolidation or simplification of compliance or reporting requirements for small businesses;
- d) The establishment of performing standards for small businesses to replace design or operational standards required in the regulation; and
- e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

There is no expected adverse impact on small businesses. These amendments to the regulation will affect those members of the general motoring public who use Roadside Rest Areas by modifying the rules for use of such facilities.

Please note: This regulation was submitted as a Proposed Rulemaking prior to the enactment of the amendments to the Regulatory Review Act, Act 76 of 2012. Nevertheless, the Department will address the above subparagraphs in completing a regulatory flexibility analysis:

- a) The establishment of less stringent compliance or reporting requirements for small businesses is not possible for this regulation as no impact to small businesses is anticipated.
- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses is not possible as there is no explicit compliance or reporting requirements for small businesses.
- c) The consolidation or simplification of compliance or reporting requirements for small businesses is not possible because, again, there is no compliance or reporting requirements particularly impacting small businesses.
- d) The establishment of performing standards for small businesses to replace design or operational standards required in the regulation is not possible because performing standards for small businesses are not applicable to a regulation that has no impact on small businesses.
- e) The exemption of small businesses is not a possibility as this regulation applies to all motorists utilizing Roadside Rest Areas.

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

Data was not the basis for this regulation.

(29) Include a schedule for review of the regulation including:

- A. The date by which the agency must receive public comments: N/A
- B. The date or dates on which public meetings or hearings will be held: 07/01/14

- | | |
|---------------------------------------------------------------------------------------------|-----------------|
| C. The expected date of promulgation of the proposed regulation as a final-form regulation: | <u>09/01/14</u> |
| D. The expected effective date of the final-form regulation: | <u>09/01/14</u> |
| E. The date by which compliance with the final-form regulation will be required: | <u>09/01/14</u> |
| F. The date by which required permits, licenses or other approvals must be obtained: | <u>N/A</u> |

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

These regulations will be reviewed periodically as appropriate to ensure continued effectiveness.

**DEPARTMENT OF TRANSPORTATION
BUREAU OF MOTOR VEHICLES**

**Title 67 Transportation
Part I. Department of Transportation
Chapter 443
Roadside Rest Areas**

Notice of Final Rulemaking

Preamble

Notice is hereby given that the Department of Transportation, pursuant to the authority contained in Section 8 of the Act of June 7, 1961, (P.L. 257, No. 151) *as amended* (36 P.S. § 478.18), hereby adopts amendments to Title 67, Chapter 443 of the Department of Transportation Regulations, relating to Roadside Rest Areas, to read as set forth in Annex A to this Notice.

Purpose of this Chapter

The purpose of this chapter is to set forth rules to ensure the comfort, convenience, cleanliness, attractiveness and safety of Roadside Rest Areas for the benefit of the general motoring public using such facilities.

Purpose of these Amendments

The purpose of these amendments is to provide greater detail in the delineation of permissible and impermissible activities to ensure that Roadside Rest Areas continue to exist as comfortable, convenient, clean, attractive and safe places for the general

motoring public to refresh themselves along Commonwealth highways in furtherance of ensuring the safety of the motoring public.

Summary of Comments and Changes in the Final Adopted Regulation

The amendments to the regulation were published as a proposed rulemaking in the July 28, 2012 issue of the *Pennsylvania Bulletin*. The proposed rulemaking was also submitted to the Independent Regulatory Review Commission (IRRC) and the House and Senate Transportation Committees of the Pennsylvania General Assembly.

No comments or objections were received from the public or the Committees.

IRRC provided comments as follows:

First, IRRC noted that Section 443.2 is a list of prohibited activities and actions. It further noted that Subparagraphs (i), (ii), and (iii) under Paragraph 443.2(10) are essentially exceptions to the prohibition of releasing pets or unloading livestock. To make the Paragraph clearer, IRRC suggested that the Department include a transition to the Subparagraphs, by adding language such as “with the following exceptions:” following the words “release of pets or unloading livestock”. The Department incorporated IRRC’s recommended change, and the text we intend to promulgate in Paragraph 443.2(10) now begins “Release of pets or unloading of livestock, with the following exceptions:”.

Second, IRRC noted that the provisions and topics being added in Section 443.4 also appear in Section 443.2 or could be included there.

Regarding Subsection (a) of Section 443.4, IRRC specifically recommended this Subsection be deleted as it is duplicative of existing language at Paragraph 443.2(2). The Department adopted this IRRC recommendation and deleted Subsection (a) from Section 443.4.

Regarding Subsection (c) of Section 443.4, IRRC specifically noted that this section relates to the two-hour limit to repair a vehicle, which is further explained in Paragraph 443.2(9). IRRC stated it may be clearer to include Subsection 443.4(c) with Paragraph 443.2(9). The Department agreed with IRRC's recommendation and deleted Subsection 443.4(c) and moved its language, in slightly modified form, to the end of Paragraph 443.2(9).

Regarding Subsection (b) of 443.4, IRRC noted that given the possibility that Subsections (a) and (c) may be deleted from Section 443.4, Subsection 443.4(b), relating to unattended vehicles, could be phrased as a prohibition under Section 443.2. The Department therefore deleted Subsection 443.4(b) and moved its language to the end of Paragraph 443.2(2).

Finally, all Subsections having been removed from Section 443.4, the Department removed all reference to the proposed Section 443.4 in its entirety.

Persons and Entities Affected

These amendments will affect those members of the motoring public who use Roadside Rest Areas.

Fiscal Impact

Implementation of these amendments will not require the expenditure of additional funds by the Commonwealth or local municipalities. Minimal additional monitoring or enforcement will be required at Roadside Rest Areas.

Regulatory Review

Under Section 5(a) of the Regulatory Review Act, Act of June 25, 1982 (P.L. 633, No. 181), *as amended*, 71 P.S. 745.5(a), on July 17, 2012, the Department submitted a copy of this proposed regulation to the Independent Regulatory Review Commission and to the Chairpersons of the House and Senate Transportation Committees. No comments were received from the public or the Committees; comments were, however, received from IRRC.

In preparing this final-form regulation, the Department considered and addressed all comments received from IRRC.

Sunset Provisions

The Department is not establishing a sunset date for these regulations, since these regulations are needed to administer provisions required pursuant to the Act of June 7, 1961 (P.L. 257, No. 151, *as amended*) (36 P.S. §§ 478.11 – 478.18). The Department, however, will continue to closely monitor these regulations for their effectiveness.

Contact Person

The contact person for this regulation is Diane M. Chamberlin, Director, Bureau of Office Services, Pennsylvania Department of Transportation, 400 North Street, Harrisburg, Pa 17105, or to dchamberli@pa.gov.

Order

The Department of Transportation orders that:

- (A) The regulations of the Department of Transportation, 67 PA. Code, Chapter 443 are to read as set forth in Annex A.
- (B) The Secretary of the Department of Transportation shall submit this Order and Annex A hereto to the Office of General Counsel and the Office of Attorney General for approval as to legality and from, as required by law.
- (C) The Secretary shall certify this Order and Annex A and deposit the same with the Legislative Reference Bureau, as required by law.
- (D) This Order shall take effect upon publication in the *Pennsylvania Bulletin*.

Barry J. Schoch, P.E.
Secretary of Transportation

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

SUBPART B. NONVEHICLE CODE PROVISIONS

ARTICLE III. HIGHWAYS

CHAPTER 443. ROADSIDE REST AREAS

§ 443.1. Purpose and policy.

(a) This chapter is promulgated for the purpose of providing comfortable, [convenience] convenient, clean, attractive and safe places for the general motoring public and to set forth rules to insure the maximum comfort, convenience, cleanliness, health and safety of those members of the general public using the facilities.

(b) This chapter applies to ALL rest areas administered by the Department, including those containing information centers for the traveling public, that is, Welcome Centers.

(c) This chapter is intended to limit activities and actions in roadside rest areas to those that are consistent with the purpose of the facilities.

§ 443.2. Prohibited activities or actions.

The following specified activities or actions [shall be] are prohibited in roadside rest areas:

- (1) [Driving or parking of a vehicle in areas other than those provided.] Failure to comply with posted traffic signs and markings.
- (2) Parking or standing of a vehicle for more than 2 hours in a single 24-hour period or in excess of the posted time limit. VEHICLES UNATTENDED FOR MORE THAN 24

HOURS WILL BE CONSIDERED ABANDONED AND SUBJECT TO REMOVAL AND STORAGE AT THE SOLE COST AND EXPENSE OF THE OWNER.

(3) Driving or parking of a vehicle in areas other than those provided.

[(3)] (4) Defacing or damaging buildings or other facilities.

[(4)] (5) Igniting or maintaining fires for heating or cooking equipment, except in areas or facilities designed for the purpose.

[(5)] (6) Depositing or disposing of refuse or waste, except picnic waste and contents of vehicle litter bags, which shall be deposited only in areas or containers provided [therefor] for that purpose. Disposing of camping, sewage, or household refuse in [this area] these areas is prohibited.

[(6)] (7) Consumption of alcoholic beverages or the use, possession or delivery of controlled substances.

[(7)] (8) Discharging or shooting of firearms or bows and arrows, [and] hunting or fishing or parking of vehicles for the purpose of hunting or fishing outside of the rest area.

[(8)] (9) Maintenance or repairing of vehicles or attachments to vehicles—oil changes, filter replacements, draining of coolants, washing vehicles or attachments to vehicles, motor disassembly or assembly and the like—except in emergencies or when the vehicle has been placed out of service by law enforcement after roadside inspection and the repairs needed to return the vehicle to service can be completed within the 2-hour parking limitation in § 443.4 (relating to limitation on parking or standing of vehicles) 2 HOURS. IF THE REPAIRS NEEDED TO RETURN THE VEHICLE TO SERVICE CANNOT BE COMPLETED WITHIN 2 HOURS, THE VEHICLE SHOULD BE TOWED FOR REPAIR TO AN APPROPRIATE GARAGE OR REPAIR FACILITY.

[(9)] (10) Release of pets or unloading of livestock[.], WITH THE FOLLOWING

EXCEPTIONS:

(i) Animals on leashes [shall be] are permitted only in areas designated as pet [area] areas.

(ii) Pets may be permitted off-leash in designated fenced-in areas.

(iii) Seeing-eye or service dogs are not restricted.

[(10)] (11) Picking, cutting, breaking, damaging or abuse of plants or vegetation or parts thereof.

[(11)] (12) Use of the area or facilities for bathing or washing of garments or clothing.

[(12)] (13) Sale of a product or conduct of other commercial activity, except [in emergencies] when AUTHORIZED BY LAW OR WHEN, IN FURTHERANCE OF THE NEEDS OF THE TRAVELING PUBLIC, the Department authorizes, by written agreement, COMMERCIAL ACTIVITIES, SPONSORSHIP OPPORTUNITIES OR vending and communication facilities in ROADSIDE rest areas along limited access rights of way, or COMMERCIAL ACTIVITIES, SPONSORSHIP OPPORTUNITIES OR vending; OR communication facilities, and other commercial activities serving the needs of the traveling public in ROADSIDE rest areas not along limited access rights of way.

[(13)] (14) Driving a motor vehicle in excess of 25 miles per hour, except on entrance or exit ramps.

[(14)] (15) Use of the area or facilities when closed for the season or closed for any other reason.

[(15)] (16) Engaging in loud, boisterous or abusive conduct or engaging in or soliciting lewd or lascivious conduct, including, but not limited to, sexual intercourse, indecent exposure, open lewdness or prostitution.

(17) Skateboarding, rollerblading, skating, biking, sledding or riding of all-terrain vehicles.

(18) Camping overnight or setting up a tent, sleeping anywhere but in a legally parked vehicle or remaining anywhere but in a legally parked vehicle AT A ROADSIDE REST AREA for more than two hours OR AS OTHERWISE POSTED.

(19) Smoking in areas designated as “no smoking.”

(20) Distributing written materials, except on terms and conditions the Department deems appropriate.

(21) Use of the area or facilities for special events, except for free “Coffee Break” events and similar non-profit activities for the traveling public when approved by the Department and on terms and conditions the Department deems appropriate.

(22) Other potentially disruptive activities that interfere with the proper functioning of the rest area for the purposes SET FORTH in § 443.1 (relating to purpose and policy), including, BUT NOT LIMITED TO:

(i) Soliciting, harassing, intimidating, or coercing travelers.

(ii) Impeding the movement of pedestrians or interrupting traffic flow.

(iii) Picketing, demonstrating or performing oration or similar activities.

§ 443.3. Additional prohibited activities or actions on noninterstate highways.

In addition to the activities prohibited in § 443.2 (relating to prohibited activities or actions), parking of commercial vehicles or the parking of a vehicle between dusk and dawn is prohibited in roadside rest areas along noninterstate highways unless otherwise posted by the Department.

~~§ 443.4. Limitation on parking or standing of vehicles.~~

~~(a) Parking or standing of a vehicle for more than 2 hours in a single 24 hour period or in excess of the posted time limit is prohibited.~~

~~(b) Vehicles unattended for more than 24 hours will be considered abandoned and subject to removal and storage at the sole cost and expense of the owner.~~

~~(c) Vehicles which have been placed out of service by law enforcement after roadside inspection, and the repairs needed to return the vehicle to service cannot be completed within 2 hours, should be towed for repair to an appropriate garage or repair facility.~~



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

July 16, 2014

David Sumner, Executive Director
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, Pennsylvania 17101

Re: Final Rulemaking
18-431 — 67 Pa. Code, Chapter 443
Roadside Rest Areas

Dear Mr. Sumner:

Enclosed please find a copy of the Face Sheet, Preamble, Annex A and Regulatory Analysis Form, for amendments to Chapter 443 of the Department of Transportation's (Department) regulations which the Department intends to adopt in accordance with the provisions of Section 5 of the Regulatory Review Act, Act of June 25, 1982, P.L. 633, *as amended*.

Copies of these materials were also delivered today to the majority and minority chairpersons of the Pennsylvania House and Senate Transportation Committees.

The Department will provide the Independent Regulatory Review Commission with any assistance required to facilitate a thorough review of this regulation. Thank you for your attention.

Very truly yours,


Jeffrey M. Spotts,
Regulatory Counsel

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT**

I.D. NUMBER: #18-431
 SUBJECT: Roadside Rest Areas
 67 Pa. Code, Chapter 443
 AGENCY: Department of Transportation

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TYPE OF REGULATION

- Proposed Regulation
- X 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

FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
<u>7/16/14</u>	<u><i>Spina Carhart</i></u> for Majority Chair Hon. Nicholas A. Micozzie	HOUSE COMMITTEE ON TRANSPORTATION
<u>7-16-14</u>	<u><i>Famela Oddo</i></u> for Minority Chair Hon. Michael P. McGeehan	
<u>7/16/14</u>	<u><i>C. Mardal</i></u> for Majority Chair Hon. John C. Rafferty, Jr.	SENATE COMMITTEE ON TRANSPORTATION
<u>7/16/14</u>	<u><i>J. Wozniak</i></u> for Minority Chair Hon. John N. Wozniak	
	<u>N/A</u>	OFFICE OF ATTORNEY GENERAL
<u>7/16/14</u>	<u><i>K. Cooper</i></u>	INDEPENDENT REGULATORY REVIEW COMMISSION

Date: July 16, 2014