



Pennsylvania Bus Association's Testimony

House Transportation Committee's Public Hearing to discuss PennDOT's P3 Bridge Tolling Initiative

September 30, 2021

John Bailey, Chairman, Pennsylvania Bus Association

Good morning, I'm John Bailey, Chairman of the Pennsylvania Bus Association (PBA) and President of Bailey Family Companies. I want to thank the committee for inviting me today to testify on this important transportation issue.

On behalf of Pennsylvania's private bus companies as well as our affiliate members, I want to express the Pennsylvania Bus Association's **opposition** to the Pennsylvania Department of Transportation's (PennDOT) proposed "Pathways Major Bridge P3 Initiative" and the tolling of bridges on interstates across the Commonwealth.

The Pennsylvania Bus Association (<http://pabus.org/>) was founded in 1923 and has functioned without interruption and with an unrelenting commitment to the safety of the traveling public and the economic well-being of its member companies. PBA boasts a well-rounded program of activities for both bus operator and supplier members and carries a current membership of over 750 entities. Governmental affairs, travel and tourism marketing, education, safety, and communication constitute the major areas of involvement for this, one of the oldest public passenger transportation associations in the United States.

As you know, PennDOT is evaluating the following bridges for tolling:

- I-78 Lenhartsville Bridge Replacement Project (Berks County).
- I-79 Widening, Bridges and Bridgeville Interchange Reconfiguration (Allegheny County).
- I-80 Canoe Creek Bridges (Clarion County).
- I-80 Nescopeck Creek Bridges (Luzerne County).

- I-80 North Fork Bridges Project (Jefferson County).
- I-80 Over Lehigh River Bridge Project (Luzerne and Carbon counties).
- I-81 Susquehanna Project (Susquehanna County).
- I-83 South Bridge Project (Dauphin County).
- I-95 Girard Point Bridge Improvement Project (Philadelphia County).

The decision to toll bridges on the interstate system is one that PBA strongly disagrees with. Our industry already pays more than its fair share to operate on Pennsylvania roadways and additional tolls would only add to that increasing cost. Pennsylvania has the second highest fuel taxes in the entire U.S. and in addition, has one of the highest costs to register a commercial vehicle in this nation. A bus with a seating capacity of 52 or more costs \$834 annually, while a passenger vehicle is only \$39 annually.ⁱ

The COVID-19 shutdown and restrictions in Pennsylvania and around the country has had a devastating impact on travel and transportation operators. The motorcoach, tour and travel industries are dominated by small businesses, and most often these are family owned, multigenerational businesses. These small businesses are not capable of withstanding even a modest downturn in domestic travel and tourism, let alone the devastating situation the travel industry is currently experiencing. With the Delta COVID variant in full swing, the future is more uncertain.

As the motorcoach, tour and travel industries are struggling to remain in business, the imposition of tolls once we emerge from this pandemic may further reduce ridership and add additional hurdles that will continue to threaten the viability of these family owned, multigenerational businesses. Small businesses form the backbone of the U.S. tour and travel industry, as well as provide vital links for rural communities, commuting employees, school children, and price-sensitive travelers.

According to PennDOT, tolling for the construction, maintenance, and operation of bridge projects would free up funds for other projects that might not otherwise be possible. Other possibilities include charging fees for using busy roads at peak times and for use of newly constructed express lanes with less traffic. However, bridge tolling and fees for using busy roads will threaten the viability of the motorcoach, tour, and travel industries as rising costs will reduce ridership and impact the small businesses at the destination sites.

We urge PennDOT to reconsider its decision to toll bridges on interstates and look for a more fair and equitable approach to funding our transportation infrastructure. In addition, PBA **strongly supports** Senate Bill 382 (Langerholc-R) and House Bill 920 (Delozier-R), both of which are currently before the House Transportation Committee. A brief summary of both bills follows:

[Senate Bill 382](#) (Langerholc-R) amends Title 74 (Transportation), in public-private transportation partnerships, for def., for duties of board and for operation of board; and voiding prior initiatives of Board.

- **Status:** Passed Senate, 28-19, 2021 – House Transportation, 4/29/2021
- Increase transparency by requiring PennDOT to publish a detailed analysis prior to the P3 Board's voting meeting, and mandate PennDOT to distribute a copy of the P3 Board's resolution, with or without a user fee, within 24 hours.
- Incorporate public input by creating a new 30-day public comment period prior to the P3 Board meeting.
- Create checks and balances on the obscure P3 Board by clarifying any P3 project with a user fee shall be deemed disapproved unless the Governor and General Assembly approve.
- Void the PennDOT Pathways Major Bridge P3 Initiative and require reconsideration by the P3 Board following the new process outlined in the legislation.

[House Bill 920](#) (Delozier-R) amends Title 74 (Transportation), in public-private transportation partnerships.

- **Status:** House Transportation, 3/15/2021
- Require the P3 board to disapprove a proposed transportation project if it involves state property and the public entity has not disclosed the specific property involved in the project.
- Allow the General Assembly to disapprove a P3 project involving state property where no user fees are involved. The General Assembly would have 20 calendar days or nine voting days, whichever is longer, after the P3 board's action to react. The timeline would reset to the next legislative session if not enough current session days exist after the P3 board's action.
- Require the General Assembly to approve any P3 transportation project which imposes user fees. If the General Assembly does not act within a year, the project would be deemed disapproved.
- This legislation would apply to future P3 projects and the current bridge tolling proposal if the bill were signed into law before an agreement was reached with a development entity.

Unless the General Assembly adopts either of these bills to create checks and balances on the Public-Private Partnership Board, PennDOT is free to use the P3 process to adopt corridor tolling and managed lanes (limited lane tolling) in high-volume corridors, which the Transportation Revenue Options Commission (TROC) Report also identifies as a funding source for the medium-term. Like bridge tolling, these tolling proposals would be done through the P3 board and not by our elected officials.

PBA recognizes the need for additional transportation funding and will continue to work with the administration and the General Assembly on fair funding proposals that do not disproportionately impact commercial vehicles.

Thank you.

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¹ <http://www.dot.state.pa.us/Public/DVSPubsForms/BMV/BMV%20Forms/MV-70S.pdf>