



LUZERNE COUNTY
COUNTY MANAGER
C. DAVID PEDRI, ESQUIRE

COUNTY of LUZERNE
P E N N S Y L V A N I A
E S T A B L I S H E D 1 7 8 6

FOR IMMEDIATE RELEASE

Contact: David Pedri, County Manager
Phone: 570-825-1635
Email: David.Pedri@luzernecounty.org

PENNDOT TO BEGIN COLLECTING \$5 REGISTRATION FEE IN LUZERNE COUNTY

Today Luzerne County confirmed with PENNDOT that effective immediately, PENNDOT will begin collecting the \$5 registration local use fee for all non-exempt vehicles registered in Luzerne County.

This fee was approved by the Luzerne County Council in 2018. Luzerne County is the 23rd County to enact such a fee.

All monies collected must be utilized only for the upkeep and construction of roads and bridges in Luzerne County and cannot be utilized for any other purpose. County Administration will be providing County Council with an update of road and bridge projects at the February 12 Luzerne County Council Meeting.

Attached to this press release is:

1. PENNDOT'S Fact Sheet regarding this fee;
2. Luzerne County Council Ordinance 2018-04 approving this fee;
3. Luzerne County Administration's Fact Sheet regarding this fee;
4. A listing of vehicles that are exempt from collection.

FACT SHEET

Fee for Local Use – Participating Counties

PURPOSE

Act 89, which became law on November 25, 2013, established a special fund within the state treasury called “Fee for Local Use Fund.” As of January 1, 2015, a county may pass an ordinance to implement a fee of \$5 for each vehicle registered to an address located in that county. The \$5 county fee is collected by PennDOT at the time a vehicle is initially registered, when the registration is renewed, or when the registration is transferred. These funds will be used by the county for transportation purposes or be allocated by the county in accordance with Section 9010(c) of the Pennsylvania Vehicle Code. The \$5 county fee is in addition to the registration fee.

Counties that wish to participate must notify PennDOT 90 days prior to the effective date of the ordinance. PennDOT provides notification of participating counties to authorized agents via the Driver and Vehicle Services Update Bulletin. Local Use Fund fees are being collected by PennDOT and its authorized agents.

PennDOT will begin collecting the \$5 fee for registrations expiring in the month the county ordinance is effective. When completing registration renewals for a vehicle registered in a participating county with an ordinance effective date listed below, the \$5 fee is charged when the current registration expires on the effective date or later. The \$5 fee also applies at the time a vehicle is initially registered, at the time of registration renewal, and at the time of transfer of registration on or after the effective date of the participating county.

PARTICIPATING COUNTIES

Below are the effective dates for counties that have passed an ordinance to implement the \$5 fee.

EFFECTIVE DATE	PARTICIPATING COUNTY
4/7/2015	Cumberland
4/29/2015	Fulton (NOTE: Repealed effective April 29, 2017.)
5/1/2015	Blair
1/1/2016	Allegheny
4/1/2016	Bucks
4/1/2016	Westmoreland
4/11/2016	Philadelphia
5/1/2016	Dauphin
6/1/2016	Chester
6/30/2016	Greene
7/1/2016	Cambria
10/1/2016	York

EFFECTIVE DATE	PARTICIPATING COUNTY
1/1/2017	Montgomery
3/1/2017	Berks
4/1/2017	Beaver
10/1/2017	Centre
10/1/2017	Lycoming
12/1/2017	Mifflin
1/1/2018	Schuylkill
1/1/2018	Pike
3/1/2018	Union
4/1/2018	Erie
11/1/2018	Butler
1/18/19	Luzerne

January 2019



pennsylvania
DEPARTMENT OF TRANSPORTATION

No. 2018-04
ORDINANCE

An Ordinance of the County of Luzerne for the Implementation of a Fee for Local Use as Provided by 75 Pa.C.S. §1935 Allowing a County to Impose a County Fee of \$5.00 for Each Non-Exempt Vehicle Registered to an Address Located Within its Borders

WHEREAS, Act 89 of 2013, amending 75 Pa.C.S. §1935, allows all counties with the Commonwealth of Pennsylvania, at their discretion, to impose a \$5.00 county fee for each and every non-exempt vehicle registered to an address located within said county; and

WHEREAS, 75 Pa.C.S. §1935 requires each County that elects to implement this fee to pass an Ordinance authorizing the same; and

WHEREAS, beginning January 1, 2015, 75 Pa.C.S. §1935 authorizes counties to enact ordinances to levy the county fee; and

WHEREAS, 75 Pa.C.S. §1935 requires the County to notify the Pennsylvania Department of Transportation ("PennDOT") on or following the enactment date and at a minimum ninety (90) days prior to the effective date of the Ordinance; and

WHEREAS, upon levy by Ordinance of the County and due notice to PennDOT, 75 Pa.C.S. §1935 directs PennDOT to collect the County fee at the time of vehicle registration and to deposit receipts into a Fee for Local Use Fund; and

WHEREAS, 75 Pa.C.S. §1935 directs that the money paid into the Fee for Local Use Fund shall be distributed by PennDOT to each participating County in accordance with the amount collected from said County; and

WHEREAS, funds payable to a County from the Fee for Local Use Fund, along with matching funds from the Commonwealth of Pennsylvania, shall be used by the County for transportation purposes or be allocated by the County to municipalities in the County in accordance with 75 Pa.C.S. §9010(c) (related to the County Liquid Fuels Tax Fund); and

WHEREAS, in 2017, PennDOT announced an initiative in which it would match counties' fees collected for local use dollar for dollar up to a 2 million dollar cap with such matching funds mandated to be used on County owned bridges; and

WHEREAS, Luzerne County Council has determined that it wishes to impose the \$5.00 County fee authorized pursuant to 75 Pa.C.S. §1935.

NOW THEREFORE, be it ordained and enacted by county council for the County of Luzerne as follows:

Section 1. Imposition of Local Use Vehicle Registration Fee.

The five dollar (\$5.00) local use vehicle registration fee authorized in 75 Pa.C.S. §1935 of the Pennsylvania Motor Vehicle Code is hereby imposed on all non-exempt vehicles registered to an address within Luzerne County.

Section 2. Use of Vehicle Registration Fee Funds.

The fees collected pursuant to this Ordinance shall be used by Luzerne County for transportation purposes or shall be allocated by Luzerne County in accordance with 75 Pa.C.S. §9010(c) (related to the County Liquid Fuels Tax Fund) and consistent with guidance issued by PennDOT.

Section 3. Notice to the Pennsylvania Department of Transportation.

Notice of enactment of this Ordinance shall be provided to the Department of Transportation no later than June 03, 2018.

Section 4. Effective Date.

The Effective Date of this Ordinance shall be September 01, 2018. (Luzerne County must give PennDOT at least 90 days advanced notice of enactment prior to the effective date of collection of fees. PennDOT recommends the effective date be the first day of a calendar month.)

Section 5. Sunset Provision.

The five dollar (\$5.00) local use vehicle registration fee shall automatically be repealed with no further action of Luzerne County Council being necessary should PennDOT terminate its initiative of the dollar for dollar match to counties' fees for local use collected.

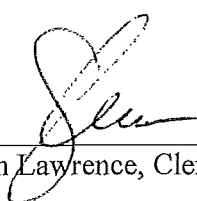
ENACTED at a meeting of the Luzerne County Council held on the 8th day of May, 2018.

ROLL CALL VOTE (7-4)

YES: Kelleher, McGinley, Perry, Saidman, Schnee, Vough and Waitkus

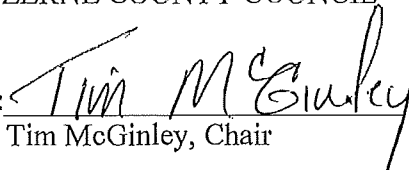
NO: Brominski, Haas, Houck and SA Urban

Attest:



Sharon Lawrence, Clerk of Council

LUZERNE COUNTY COUNCIL

By:


Tim McGinley, Chair

By:


Eugene Kelleher, Vice-Chair



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FACT SHEET

Act 89, Title 75 §1935 \$5 COUNTY FEE FOR LOCAL USE

Luzerne County Council Work Session, March 27, 2018

Fee Establishment & Receipt

- Effective 12/31/2014 counties, upon enacting an ordinance, may impose a \$5.00 fee for each nonexempt vehicle registered to an address in the county.
- Fund use is limited to the construction, reconstruction, maintenance, safety improvements, and repairs to public highways and bridges.
- Fees can be allocated as grants to municipalities or retained exclusively for County use.
- PennDOT will collect the \$5.00 fee at the time of vehicle registration and distribute the fees collected to participating Counties in **June and December** of each effective year.
- In 2017, PennDOT announced a **dollar for dollar match** if funds are utilized for bridges up to \$2,000,000 yearly for each County.
- Act 89 allows a 1 year or 2 Year Registration Option. Two Year Registrants still only pay \$5 Fee; Not \$10 Fee.

How Would Luzerne County Benefit?

- In 2017 PennDOT records counted approximately **281,000 registered vehicles** in Luzerne County eligible for the \$5 fee.
- This will realize potential funding to be used for road and bridge projects on the following scale (not including PennDOT match):
 - Estimated \$5 Fee annual yield at 100% - **\$1,400,500**
 - Estimated \$5 Fee annual yield at 75% - **\$1,053,750**

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What Are Other Counties Doing?

- Currently, **twenty (20) counties** in the Commonwealth have enacted the registration fee.

The Need

- Luzerne County owns **304 bridges/culverts** and **approximately 128 miles of County roads**.
- The designated service life of a bridge is approximately 50 years.
- 16 (5.3%) of the County's bridges are less than 10 years old
- 50 (16.4%) are 10-50 years old
- 16 (5.3%) are 50-75 years old
- 187 (61.5%) are 75-100 years old
- 35 (11.5%) are over 100 years old
- **182 (60%) of the County's Bridges have been deemed to be in need of some level of repair.**
- The County has received numerous complaints about the current state of the County roads.

Bridges on Current Plans

- CB44803 (Conyngham Township) T-392 (Hollow Road) Superstructure Replacement - \$500,000
- CB36902 (Rice Township) CR-23 (Blytheburn Rd) Superstructure Replacement - \$300,000
- CB24002 (Hanover Township) Oxford Street Rehabilitation - \$100,000
- CB54503 (Black Creek Township) T-314 (Tower Road) Replacement - \$200,000
- Three Truss Bridge Rehab - \$1,020,000
 - CB16007 (Huntington Township) T-490 (Daro Rd)
 - CB46018 (Huntington Township) T-472 (Everetts Rd)
 - CB45802 (Hollenback Township) T-375 (Bridge Rd)

Roads on Current Plans

- CR11 & 14 (Ransom & Orange) Reconstruction - \$1,000,000
- CR38 (Foothills) FDR - \$1,560,000 *FDR = Full Depth Reclamation*
- CR19 (Tunnel) FDR - \$300,000
- CR16 (Hillside) FDR - \$1,000,000

Current Funding

- Liquid Fuels Tax Fund
 - 2017 funding of \$1,213,915.19
 - Supports basic maintenance and operating budget

- Act 13 Marcellus Shale Funding (Structurally Deficient Bridges only)
 - 2017 funding of \$379,448.18

- Act 44
 - 2017 funding of \$135,249.50

- Act 89
 - 2017 Funding of \$246,914.28

- 12 Year Transportation Improvement Plan (TIP) through the PennDOT MPO
 - Project-specific Federal Allocations
 - Typically 80% Federal, 15% State, 5% Local

Benefits of \$5 Fee Funding

- Expected to fund one major road or bridge replacement or several minor rehabilitation projects per year.

- Use of funds is not subject to as much regulatory oversight as some other forms of transportation funding, e.g. Liquid Fuels Funding.

- This is a recurring revenue source.

- Gives the County the ability to raise funds without specifically seeking more funds from the County homeowner only. People who rent property as well as commercial entities also will paying their fair share to fix County roads and bridges.

County Fee for Local Use Fund

"[A] county may, in its discretion by ordinance, impose a fee of \$5 for each nonexempt vehicle registered to an address located in the county." 75 Pa.C.S.A. § 1935(b).

EXEMPT

Those vehicles which are exempt from registration fees under the Vehicle Code.

- Vehicles owned by governmental or quasi-governmental entities:
 - The Commonwealth
 - Political subdivisions
 - State and local authorities
 - State-related institutions of higher learning
 - The Federal Government
 - Other states
 - See 75 Pa. C.S.A. §1901(a)
- Buses registered by urban mass transportation systems.
 - See 75 Pa. C.S.A. §1901(b)(1)
- Vehicles registered by volunteer fire, rescue and ambulance associations.
 - See 75 Pa. C.S.A. §1901(b)(2)
- Vehicles registered by foreign nationals with a rank of vice consul or higher assigned to a consulate.
 - See 75 Pa. C.S.A. §1901(b)(3)
- Vehicles of totally disabled veterans whose disability is certified by the service unit he/she served in.
 - See 75 Pa. C.S.A. §1901(b)(4)
- Vehicles on loan or transferred to a nonprofit by the Federal Government.
 - See 75 Pa. C.S.A. §1901(b)(5)
- Vehicles registered to the following:
 - Hospital
 - Human Society
 - Nonprofit youth center
 - American Red Cross
 - Church
 - Girl Scouts of America
 - Boy Scouts of America
 - Salvation Army
 - Duly chartered posts of national veterans' organizations
 - Young Men's Christian Association
 - Young Men's Hebrew Assoc.
 - Young Women's Christian Assoc.
 - Jewish Community Center
 - Nonprofits of musical marching groups of youths
 - Any person retired, receiving social security, or other pension, with an annual income of less than \$19,200
 - Any veteran who lost a limb or an eye or became partially paralyzed while serving
 - A veteran/armed service member who was a POW during armed conflicts which the DOD authorized a campaign medal
 - Congressional Medal of Honor recipient
 - Nonprofits that provide services to the elderly or infirm
 - Nonprofits that principally provide services to the mentally/physically disabled
 - Nonprofit mobile aviation museums
 - Nonprofits that provide ambulance or emergency medical services
 - See 75 Pa. C.S.A. §1901(c)
- Any implement of non-commercial husbandry, used exclusively for agricultural operations.
 - See 75 Pa. C.S.A. §1302(2.1)
- Any self-propelled golf-cart used to transport persons or equipment for sport or recreation.
 - See 75 Pa. C.S.A. §1302(3)

County Fee for Local Use Fund

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- Any vehicle moved by special permit, i.e. construction equipment
 - See 75 Pa. C.S.A. §1302(4)
- Any vehicle with foreign plates, issued to a member of the armed services, within 45 days of the owner returning to the U.S.
 - See 75 Pa. C.S.A. §1302(5)
- Any vehicle owned by a resident which is legally required to be registered in another state.
 - See 75 Pa. C.S.A. §1302(6)
- Any vehicle used solely by human or animal power
 - See 75 Pa. C.S.A. §1302(7)
- Any mobile home or modular unit
 - See 75 Pa. C.S.A. §1302(9)
- Any farm vehicle used exclusively upon a farm or farms owned or operated by the vehicle owner
 - See 75 Pa. C.S.A. §1302(10)
- Any trailer or semi-trailer
 - See 75 Pa. C.S.A. §1302(11)
- Any military vehicle used for training by a private, nonprofit, tax exempt military educational institution
 - See 75 Pa. C.S.A. §1302(12)
- Any oversized or overweight vehicle that can only be operated under permit.
 - See 75 Pa. C.S.A. §1302(13)
- Any vehicle used for golf course, college campus, or resort maintenance.
 - See 75 Pa. C.S.A. §1302(14)
- Any motor vehicle being towed
 - See 75 Pa. C.S.A. §1302(15)
- Any trailer registered in another state, towed by a motor vehicle registered in the Commonwealth
 - See 75 Pa. C.S.A. §1302(16)
- Any multipurpose agricultural vehicle
 - See 75 Pa. C.S.A. §1302(17)
- Any farm and garden vehicle under 20 horsepower being driven incidentally upon a highway
 - See 75 Pa. C.S.A. §1302(18)
- A tow dolly
 - See 75 Pa. C.S.A. §1302(19)
- All electric personal assistive mobility device
 - See 75 Pa. C.S.A. §1302(20)
- Special mobile equipment engaged in construction activities within 1 mile of an active construction zone
 - See 75 Pa. C.S.A. §1302(21)
- Any portable traffic control signal or device on a trailer
 - See 75 Pa. C.S.A. §1302(22)
- Any all-terrain vehicle
 - See 75 Pa. C.S.A. §1302(23)
- Foreign Vehicles owned by a non-resident of the Commonwealth, duly registered in the owner's place of residence.
 - See 75 Pa. C.S.A. §1303
- Manufacturers and Dealers
 - Dealers and Manufacturers licensed by the State Board of Vehicle Manufacturers, Dealers and Salespersons
 - See 75 Pa. C.S.A. §1335
- Fleet owners with transporter plates
 - A person, Federal, State or local government agency or authority owning or leasing 15 or more vehicles who or which provides servicing and repair of the vehicles.

County Fee for Local Use Fund

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- See 75 Pa. C.S.A. §1337.1

NONEXEMPT

Those vehicles which are not exempt from registration fees under the Vehicle Code.

- Recreation Vehicles
 - Campers
 - Motor Homes
- Trailers