

PENNSYLVANIA STATE TRANSPORTATION COMMISSION  
BUSINESS MEETING  
HARRISBURG, PENNSYLVANIA  
AUGUST 17, 2022



*Please note that these minutes are not intended to capture every individual comment but rather to identify critical discussion points and highlights of the STC business meetings.*

**CALL TO ORDER:**

Secretary Yassmin Gramian, P.E., convened the quarterly business meeting of the State Transportation Commission (STC) at 10:08 a.m. on August 17, 2022.

**ROLL CALL:**

**Commissioners Present:**

1. Honorable Yassmin Gramian, P.E., Chair
2. Honorable Michael Carroll, Ms. Meredith Biggica, Alternate Present
3. Honorable Wayne Langerholc, Jr. Mr. Nolan Ritchie, Alternate Present
4. Honorable Karen Michael, P.E.

**Commissioners Present on the Phone:**

1. Honorable Ronald J. Drnevich
2. Honorable Sharon Knoll
3. Honorable Frank E. Paczewski
4. Honorable James D. Kingsborough
5. Honorable Tim Hennessey
6. Honorable Marty Flynn, Mr. Caleb Sisak, Alternate Present

**Commissioners Not Present**

1. Honorable Chad Amond

**MINUTES:**

**ON A MOTION** by Mr. Frank Paczewski and seconded by Mr. Jimmy Kingsborough, and unanimously approved, the February 16, 2022, STC business meeting minutes were accepted.

## **CHAIR'S REMARKS:**

Secretary Yassmin Gramian, P.E., welcomed Commissioners and guests to the STC meeting and introduced Ms. Karen Michael, P.E., the STC's newest commissioner. Ms. Michaels was formerly the District Executive for PennDOT District 2.

The Secretary discussed Act 84 of 2022, which allowed the Department to proceed with the Major Bridge Public-Private Partnership (MBP3) initiative without tolling. Tolling was subject to several lawsuits which are now resolved with the passage of the new law.

The Department is working to identify funding for the nine MBP3 bridges originally selected for tolling.

House Transportation Chair, Representative Timothy Hennessy reported that smaller contractors have reported to him that they are frozen out of the Rapid Bridge Replacement Program process. The Secretary stated that she appreciated his comments.

The Secretary discussed the National Electric Vehicle Infrastructure (NEVI) program, authorized by the Bipartisan Infrastructure Law. This program will provide \$171.5 million in new funding over a five-year period to build new charging infrastructure across the Commonwealth along interstate corridors. In addition to NEVI funds, there are also \$2.5 billion in discretionary grants for municipalities, school districts, and planning partners to apply for to fund a wide variety of projects.

The Department submitted a NEVI Plan to FHWA in July and once approved, \$25 million in funds will become available.

The Secretary discussed the Fern Hollow Bridge collapse in Pittsburgh and stated that construction of the new bridge is underway with a projected opening for the end of 2022.

### **2021 12-YEAR TRANSPORTATION PROGRAM: By Larry Shifflet**

Deputy Secretary Larry Shifflet presented the 2021 12-Year Transportation Program (TYP) adjustments stating that between April 30, 2022 and July 27, 2022, there were 962 program adjustments, including:

- 247 Project/Phase Additions
- 665 Project/Phase Changes
- 50 Project/Phase Removals (temporary or permanent)

Mr. Shifflet said that the overall changes represent a **\$103,247,423** increase for the reporting period.

Mr. Shifflet highlighted changes to the interstate program in District 6, specifically the I-95 Margaret to Carver project (MPMS 79910), which had a **\$29,020,683** cost increase. The project was bid on June 30, 2022, and much of this increase is due to the current rate of inflation. The Interstate Contingency Line Item was used to cover the increased costs.

Mr. Kingsborough asked about a cost increase on another I-95 project in District 6 (MPMS 103744). The increase was 1852%. Mr. Shifflet stated that the funds were not carried over from commitments programmed during the previous program. This action allowed the obligation of funds which were unable to occur until now because obligation limitation drives the use of funding.

**ON A MOTION** by Ms. Karen Michael, P.E., and seconded by Mr. Jimmy Kingsborough, the 2021 12-Year Program Adjustments were approved.

### **2023 12-YEAR TRANSPORTATION PROGRAM: By Larry Shifflet**

Deputy Secretary Shifflet presented the 2023 12-Year Transportation Program. The passage of the Bipartisan Infrastructure Law (BIL) provided for:

- Federal funding for highways, bridges, and public transit for the **first four years** of the TYP.
- Many existing funding categories at higher levels than the FAST Act,
- New programs that invest in bridges, reduce transportation emissions, build resilient infrastructure, and provide for electric vehicle infrastructure.

The 2023 Program is an \$18.9 billion increase over the 2021 Program which reflects the passage of BIL.

Mr. Shifflet discussed the nine MBP3 Bridges and how they will be funded, as the Department entered into a Predevelopment Agreement to handle preliminary design and other matters with the goal of leading to a Design, Build, Finance, Maintain (DBFM) project agreement. The Department will make the availability payment on the project agreement, not the PDA. The Department will repay this entity for the DBFM project agreement through availability payments over a 30-year period. Act 84 of 2022 authorizes the bridges without tolling. The Department may have additional funding opportunities within the federal BIL. Mr. Shifflet also noted there are several discretionary grant programs in the BIL, and the Department has submitted seven applications for six projects, including the I-83 South Bridge in Harrisburg. The total request for all applications to date is \$1.5 billion.

Much of the BIL's funds are distributed through formula to PennDOT and subsequently distributed through existing formulas to our 23 Metropolitan and Rural Planning Organizations (MPOs and RPOs). There are performance measures included in the BIL which are carried over from the FAST Act:

- Safety - reduces traffic fatalities
- Pavement/Bridge - to maintain the National Highway System in a state of good repair
- System Performance - improve the efficiency of the surface transportation system
- Transit- quantifies the condition of transit facilities.

There were new processes introduced for the 2023 TYP update. For the first time the Department conducted a STIP Public Comment period from June 15-30, 2022. PennDOT received 53 public

comments. To help educate the public, the TYP team developed a new infographic which is available on TalkPATransportation.com.

Mr. Shifflet then highlighted the digital 2023 TYP, which features a projects tab. As an example, Mr. Shifflet demonstrated the project tab with the North Fork I-80 bridges.

The Active Transportation Plan was discussed under the Initiatives Tab, and Deputy Secretary Jennie Louwerse delivered a brief report of activities within the Multimodal Deputate.

Mr. Shifflet then highlighted the survey results map and the survey results summary from the Public Comment Period.

**ON A MOTION** by Mr. Jimmy Kingsborough and seconded by Mr. Frank Paczewski, the 2023 12-Year Program was adopted.

### **PA DEPARTMENT OF TRANSPORTATION UPDATE:**

#### **Transportation Advisory Committee (TAC)**

TAC Chair, Ms. Jody Holton, AICP, was not in attendance and the report was entered as written.

#### **Executive Secretary**

Executive Secretary Ms. Melissa Batula, P.E., delivered a brief report. She thanked the General Assembly for the additional funds in the state budget which will enable the Department to continue its \$2.5 billion letting program. She discussed a national theme where DOTs are thinking differently about transportation, how our transportation networks serve all communities, and how we fund many of these new changes.

#### **Administration**

Deputy Secretary for Administration Ms. Michelle Jennings gave an update on activities within the Administration Deputate. She discussed the reorganization of personnel to support new positions in alternative technologies and fuels, transportation equity, and outreach to expand opportunities for DBE businesses. A few new positions within the Department have been created for alternative technologies and fuels, along with a director for Transportation Equity.

#### **Driver and Vehicle Services**

Deputy Secretary for Driver and Vehicle Services (DVS), Mr. Kurt Myers, gave an update about the Driver and Vehicle Services Deputate. Mr. Myers highlighted a new service which enables customers to renew their permanent handicap placards online, along with change of address services.

Mr. Myers stated that 90% of Pennsylvania customers have made a conscious decision to get a REAL ID or not and that the Commonwealth is situated to be ready for the 2023 deadline from Homeland Security, which may or may not change based on the aviation industry.

Mr. Myers noted that July and August are DVS's busy season (especially amongst students returning to universities) and that there is a 16% vacancy rate at Driver License Centers unevenly spread across the state.

Mr. Kingsborough noted that his turnaround time at a recent visit to a DMV was only 45 minutes.

Mr. Nolan Ritchie noted that programs to turn in old license plates were popular amongst constituents.

### **Highway and Bridge Program**

Acting Deputy Secretary Mr. Michael Keiser, P.E., gave an update about the Highway Administration Deputate. Mr. Keiser highlighted the rise in fatalities under the safety program over the five-year average.

Mr. Keiser noted the high cost of rock salt and some counties that will pay \$90/ton.

Mr. Keiser stated that for 2022, the Department set a goal of \$2.5 billion for the construction program. To date, the Department has bid 406 projects for a cost of \$1.958 billion. BIL funding has enabled the increase in the program. Mr. Keiser noted that there were some challenges due to workforce, inflation, and supply chains, as one industry (steel) is back to capacity however another (paint) is not.

Mr. Ritchie commented on the decline in DUI fatalities, as one-third of fatalities are due to distracted driving.

### **Multimodal Transportation**

Deputy Secretary for Multimodal Transportation, Ms. Jennie Louwarse, AICP, gave a brief report. She reported on the opening of the Falcon Bridge on the Bald Eagle Valley Trail in Clinton County. In addition, she reported on attending many openings and expansions for transit projects around the Commonwealth that would not have been possible without Act 89, including compressed natural gas (CNG) projects to fuel transit buses.

Ms. Louwarse also reported on the challenges with the Aviation program. COVID impacted funding with a loss of about \$8 million. Additional federal dollars are available for aviation, and an additional \$1.6 million are needed for the state match. The Federal government is willing to reduce the required state match. Secretary Gramian noted that there is legislation in the General Assembly to alter the Aviation Fuel Tax formula.

The Rail Freight grant application period is open, and the Multimodal Grant application opens on September 14, 2022.

### **Office of Planning**

Deputy Secretary for Planning, Mr. Larry Shifflet, stated that his report stands as written in the Briefing book.

**WORKING SESSION:**

**DEMAND FOR ALTERNATIVE USE OF STATE RIGHT-OF-WAY: By: Mike Davidson**  
Mr. Mike Davidson from Drive Engineering briefly presented the TAC study on the Demand for Alternative Use of State Right-of-way.

The project background was to examine alternate uses for highway right-of-way (ROW) as the ROW can be used for outdoor dining, parades, festivals, and races. During the COVID pandemic, many of these activities moved outdoors, and officials had the challenge of balancing the needs of the economy with transportation in all modes, road safety needs, and public health requirements. The study reviewed current statues and regulations along with the special event permit process, reviewed six municipality case studies, and issued 22 findings and recommendations.

**ON A MOTION** by Mr. Nolan Ritchie and seconded by Mr. Ron Drnevich, the STC approved the TAC Highway Right-of-way study.

**COMMISSIONERS REPORT:**

Mr. Nolan Ritchie stated that the Senate would be examining autonomous vehicle legislation in the Senate’s fall session.

The Senate Transportation Committee also would be holding Transportation hearings in Pittsburgh on August 24, 2022.

Mr. Ritchie also stated that the continued dialog about electric vehicles was welcome and described different options for road use charges, mileage-based fee, or vehicle registration fees for EVs as a funding source.

Ms. Meredith Biggica stated that the House Transportation Committee would be addressing the expansion of E-Scooters during the Fall Session, along with working with the Department on the aviation funding challenges. She also noted that House Minority Chair Mike Carroll is retiring this year.

Mr. Caleb Sisak reported that Senate Minority Chair Marty Flynn will research funding strategies.

**OTHER BUSINESS:**

None

**NEXT MEETING:**

The next STC quarterly meeting is scheduled for **Wednesday, December 14, 2022.**

**ADJOURNMENT:**

**ON A MOTION** by Ms. Karen Michael, P.E. and seconded by Mr. Ron Drnevich, the STC quarterly meeting was adjourned at 12:02 p.m.

