



PENNSYLVANIA TURNPIKE COMMISSION

A COMPLIANCE AUDIT

JUNE 2008

JACK WAGNER, AUDITOR GENERAL

**PENNSYLVANIA DEPARTMENT OF THE AUDITOR GENERAL
BUREAU OF SPECIAL PERFORMANCE AUDITS**

June 13, 2008

The Honorable Edward G. Rendell
Governor
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania 17120

Dear Governor Rendell:

Enclosed is our report that presents the results of our audit of the Pennsylvania Turnpike Commission. Act 122 of 1988 requires the Department of the Auditor General to conduct, on a quadrennial basis, a financial audit and a compliance audit (i.e., a type of performance audit) of the affairs and activities of the Commission.

Our compliance/performance audit covers the period of January 1, 2003, through December 31, 2005, unless otherwise indicated, and was conducted in accordance with generally accepted government auditing standards as issued by the Comptroller General of the United States.

With regard to the financial audit, we have followed the same practice that my predecessors have followed since Act 122 went into effect, meaning that we did not conduct our own four-year financial audit and instead reviewed audits and supporting documentation of the independent firm who audits the Commission's financial statements annually. Accordingly, we have reviewed those financial audits and the applicable working papers for the four fiscal years ending May 31, 2002, through May 31, 2005. My legal staff has advised me that this practice is sufficient to satisfy our mandate in Act 122.

The compliance/performance audit report accompanying this letter is the first audit of the Turnpike Commission released during my administration. Focusing on the Commission's performance with regard to safety, we found that safety is indeed a goal throughout the organization. At the same time, however, the Commission does not have an organizational structure to optimize this goal. As discussed in Finding One, there is no single administrator at the director level to oversee all aspects of roadway safety or to ensure, for example, that accident statistics are analyzed systematically and proactively.

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The lack of a single safety director may have contributed to the shortcomings discussed in Finding Two and Finding Three, in which we report that the Commission did not fully utilize key roadway accident statistics for analysis and also did not provide consistently reliable roadway and traffic information to its customers.

In Finding Four, which is a repeat finding from our previous quadrennial audit released in March 2003, we report that the Commission did not require compliance with posted speed limits in E-ZPass entrance and exit lanes. In fact, we found that thousands of vehicles exceeded safe speed limits in these lanes and that the Commission took no action to address those unsafe speeds even though they were documented.

In Finding Five, which is also a repeat finding from our previous audit, we report that the Commission did not ensure that all travelers paid tolls as required, particularly in E-ZPass lanes. As a result, the Commission was forced to write off \$2.6 million for uncollected tolls and associated administrative fees in the fiscal year ended May 31, 2007, some of which represented tolls and fees from previous years.

In closing, we appreciate the Turnpike Commission's cooperation during this audit process, as well as the Commission's positive response to the majority of our recommendations.

Sincerely,

JACK WAGNER
Auditor General

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Pennsylvania Turnpike Commission**

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Results in Brief

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Results in Brief

Safety is vital to the operation of the Pennsylvania Turnpike. Although the Turnpike Commission acknowledges the importance of safety, we found that the Commission's organizational structure could better reflect that importance. We also found other safety-related areas in which the Commission could make improvements, including the analysis of accident statistics, the monitoring of vehicle speed, and the dissemination of information to travelers.

Our compliance/performance audit covers the period of January 1, 2003, through December 31, 2005, and has been completed under generally accepted government auditing standards as issued by the Comptroller General of the United States. This report also includes an update of findings from our prior audit of the Turnpike Commission, which we released in March 2003. We are required to audit the Turnpike Commission by Act 122 of 1988.¹

Overall, we present 5 findings in this report and 27 recommendations. We also present the Commission's written response, which begins on page 69.

Following is a summary of the findings:

**1. Organizational structure.
(pages 9 – 24)**

Finding One: The Turnpike Commission prioritized safety but has not established a chain of command that culminates with a single safety director.

For the Commission to address this finding, we recommend that it (1) appoint an executive-level safety director to be ultimately accountable for coordinating all aspects of safety, including the regular analysis of accident statistics. This position should be on an equal level with the other directors within the organization and should also report directly to the Commission's chief operating officer. (2) maximize the results and benefits of the \$29+ million it pays each year to Troop T of the Pennsylvania State Police by executing a written

¹ 71 P.S. § 246(b).

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agreement with the State Police to delineate responsibilities and performance measures. (3) insist that Troop T obtain at least two four-wheel drive vehicles for each of the nine Troop T stations for use during hazardous weather conditions.

2. Accident Statistics. (pages 25 – 34)

Finding Two: The Turnpike Commission did not fully utilize available accident information.

To address Finding Two, we recommend that Commission employees (4) perform routine, standardized, systematic and documented accident trend analysis on all statistics in its accident database; (5) ensure that accident information is entered into its accident database timely; and (6) ensure that its database includes information from all the categories included on the uniform accident report forms, and that every category can be isolated for inclusion in reports.

3. Information Dissemination. (pages 35 – 39)

Finding Three: The Turnpike Commission did not perform consistently in its dissemination of roadway and traffic information.

To address Finding Three we recommend that the Commission (7) ensure that its Web site is organized in such a way that is more user-friendly; (8) routinely review its Web site to ensure the accuracy and availability of listed links; (9) monitor the highway advisory radio continuously for accuracy and clarity; and (10) ensure that portable message boards on the roadway reflect either current traffic conditions or—if the boards are used prospectively—information that explains when the listed conditions are expected to occur.

Additionally, the Commission should (11) utilize available technology to ensure that the highway advisory radio is operational the entire length of the turnpike, including in tunnels.

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**4. Speeding at E-ZPass Toll Plazas.
(pages 40 – 47)**

Finding Four: The Turnpike Commission did not ensure that vehicles entering and exiting the turnpike at E-ZPass toll plazas traveled at safe speeds.

To address Finding Four, we recommend that the Commission (12) take action to monitor and enforce the posted speed limits at all toll plazas. Not only is such action a safety measure, but it also is a measure to ensure that E-ZPass customers comply with their E-ZPass agreements. Actions should include the imposition of penalties for violating E-ZPass speed limits, including the revocation of the E-ZPass privileges of repeat violators, the installation of warning systems at toll plazas to call attention to drivers who exceed posted speed limits, and potentially the issuance of traffic citations for violation of the Motor Vehicle Code. If legislative changes are needed to permit more aggressive enforcement, the Turnpike Commission should lobby for such changes; (13) institute a public awareness campaign to advise customers of speed limits at toll plazas and the consequences for violating those speed limits; (14) ensure that the speed monitoring reports received from TransCore contain data for all toll plazas and for all E-ZPass vehicles entering and exiting the turnpike; (15) ensure that it thoroughly reviews the speed monitoring reports and communicates the results to the appropriate officials for action; and (16) implement the necessary policies and procedures to provide the highest possible level of traveler and employee safety.

**5. E-ZPass Monitoring.
(pages 48 – 58)**

Finding Five: The Turnpike Commission wrote off over \$2.6 million in 2006-07 by collecting only a portion of unpaid E-Z Pass lane tolls and fees, some of which represented violations from previous years. Equally important, there were even more toll violators that the Commission could neither identify nor count, a problem that resulted in still more lost revenue.

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To ensure that all toll revenues to the Commission are collected and available for use in operating the turnpike, we recommend that the Commission (17) increase the administrative fee imposed on each notification sent for an E-ZPass toll violation to the statutory maximum of \$35; (18) lobby the General Assembly for legislation to allow the Commission to impose more meaningful penalties for E-ZPass toll violations, including the following: Preventing toll violators from renewing their driver's licenses and/or vehicle registrations until any uncollected tolls and fees have been paid, creating a database of toll violators that the State Police can access during a traffic stop, allowing troopers to identify toll violators and add unpaid toll violations to the traffic citation, and considering any other aggressive and innovative measures to decrease and/or apprehend toll violators; (19) reduce the time between when a violation occurs and when the first notice is sent to the violator, and the time between when a violation occurs and when it is sent to the collection agency; (20) analyze whether it would achieve a better response rate by discontinuing the third and fourth notices and, instead, letting the collection agency take over after the second notice fails to bring a response; (21) capture a digital image of the license plate for every vehicle that exits the turnpike in an E-ZPass lane, including lanes used for both cash and E-ZPass customers, in order to identify toll violators; (22) aggressively pursue all options to obtain motor vehicle information from the states currently not included in the Law Enforcement System database used to identify E-ZPass toll violators; and (23) post signs in all toll plaza lanes that remind customers that toll evasion is a violation of the law and inform them of the penalties for violating the law.

**Follow-up on Prior Audit Findings
(pages 59 – 68)**

Chapter Two Audit Finding: The Commission monitors the usage of pool vehicles; however, it does not ensure that vehicle reports are complete and accurate.

To ensure that all Commission employees submit the required monthly mileage report and that all Commission vehicle

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reports are complete and accurate, we recommend that the Commission, (24) on a monthly basis, compare the list of employees required to submit a mileage report with the list of those who have submitted a report; (25) on a quarterly basis, compare the Commission vehicle reports to ensure each report is complete and accurate; (26) in the Executive Director Annual Review, include monthly mileage reports for pool vehicles assigned to departments on a long-term basis; and (27) create a vehicle database that contains all pertinent information on all Commission vehicles.

**Response from the Pennsylvania Turnpike Commission
(pages 69 – 74)**

In responding to this audit, the Commission agreed with the majority of our recommendations and noted several others that it would review. In closing, Commission officials reiterated their commitment to safety.

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*Introduction and
Background*

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**Introduction and
Background**

This report by the Department of the Auditor General presents the results of a compliance/performance audit of the Pennsylvania Turnpike Commission (Commission), which operates and maintains the Pennsylvania Turnpike.

**At 537 miles, the
Pennsylvania
Turnpike is one of
the longest toll
roadways in the
nation.**

The Pennsylvania Turnpike is one of the longest toll roadways in the United States. The east-west section (mainline) stretches from the Delaware River 359 miles west to the Ohio border. The Northeast Extension runs 111 miles north and south between Plymouth Meeting and Scranton. The four sections of the southwestern expansion—the Beaver Valley Expressway, Amos K. Hutchinson Bypass, Mon-Fayette Expressway, and the Findlay Connector—add another 67 miles. In total, the turnpike encompasses approximately 537 miles of limited access, high-speed roadway.²

These 537 miles of roadway include five tunnels, each approximately one mile in length.³ The roadway also includes nine major bridges. The length of these bridges ranges from 1,228 feet for the Schuylkill River bridge near Philadelphia to 6,571 feet for the Delaware River bridge at the eastern end of the mainline.⁴

As reported in the Commission's comprehensive annual financial report for fiscal year ended May 31, 2007, the turnpike infrastructure was valued at \$4.4 billion, less depreciation.⁵

**The Turnpike
Commission was
created in 1937.**

When the Pennsylvania Turnpike Commission was established, its purpose was to promote enhanced accessibility throughout the state, thereby supporting economic development.⁶ Act 211 of 1937 created the Commission and authorized it to construct, operate, and maintain a toll roadway in the Commonwealth.⁷

² Pennsylvania Turnpike Commission, *2007 Comprehensive Annual Financial Report*, September 4, 2007, p. 90.

³ *Ibid.*, p. 91.

⁴ *Ibid.*, p. 91.

⁵ *Ibid.*, p. 30.

⁶ Pennsylvania Turnpike Commission, "The Road Not Taken: Policy Issues and Public Alternatives to Highway Privatization," December 2006, p. 9.

⁷ 36 P.S. § 651.1 et seq., repealed by Act 44 of 2007. See now 74 Pa. C.S. § 8101 et seq.

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Because the turnpike crosses or is near 37 of Pennsylvania's 67 counties and because of the state's geographical location, the turnpike is a major thoroughfare for both intrastate and interstate travel and commerce. In the fiscal year ended May 31, 2007, 185 million vehicles traveled 5.7 billion revenue miles,⁸ which means that the average trip was 30.8 miles. Passenger vehicles made up 86 percent of the traffic and 52 percent of the revenue, with commercial vehicles as the remaining 14 percent of traffic and 48 percent of revenue.⁹

**The Commission is
an independent
instrumentality of
the Commonwealth.**

The Turnpike Commission is a component unit and an independent instrumentality of the Commonwealth and is governed by five board members, one of whom is the Secretary of Transportation, ex-officio. The other four board members are appointed by the Governor to four-year terms following the approval of a two-thirds majority vote of the Pennsylvania Senate.¹⁰

Located in Highspire, Dauphin County, Pennsylvania, the Commission's headquarters is sited just yards from the turnpike roadway itself at the Harrisburg East interchange and is only miles from the state Capitol in downtown Harrisburg. The Commission manages 21 roadway maintenance facilities, 2 traveler information centers (operated by the Pennsylvania Tourism Office), 20 service plazas that are open 24 hours a day, and 57 toll plazas.¹¹ As of May 31, 2007, the Commission employed 2,279 people (481 management and professional, and 1,798 union personnel).¹²

**Funding for the
turnpike comes
from multiple
sources.**

To maintain the turnpike, the Commission collects tolls, issues revenue bonds, and receives funding from the Commonwealth and the federal government. Revenue bonds and the turnpike's daily operating expenses are paid through toll revenue. In the fiscal

⁸ Pennsylvania Turnpike Commission, *2007 Comprehensive Annual Financial Report*, September 4, 2007, p. 90.

⁹ *Ibid.*, pp. 84-85.

¹⁰ *Ibid.*, pp. 3-4.

¹¹ *Ibid.*, p. 90.

¹² *Ibid.*, p. 88.

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year ended May 31, 2007, gross toll revenue was \$617,616,000.¹³

Funding from the Commonwealth includes revenue from the Motor License Fund and, beginning in 1992, 14 percent of the revenue generated by the Oil Company Franchise Tax. Funding from the Motor License Fund is \$28 million annually.¹⁴ Funding from the Oil Company Franchise Tax varies annually and in 2007 was \$67 million.¹⁵ These two funding streams were established by the General Assembly to assist the Commission in designing, constructing, and operating new toll roads.

Because the turnpike is part of the United States interstate highway system, federal funding is also available. When the interstate system was established in 1955, the federal government agreed to partially fund construction of interstate roadways with the states responsible for post-construction administration and maintenance.¹⁶ Most recently, the Commission secured partial federal funding for the turnpike link with Interstate 95 in Bucks County.¹⁷

**Pennsylvania State
Police Troop T is
responsible for law
enforcement on the
turnpike.**

In July 1940, Opinion No. 357 from the Office of the Attorney General advised Governor Arthur H. James that he could assign Pennsylvania State Police to police the turnpike. This opinion also stated that the Commission could pay the costs of these services as part of its operating expenses. Currently, the costs for Troop T, whose sole responsibility is the turnpike, are paid entirely by the Commission. In fiscal year ended May 31, 2007, the Commission paid \$32.2 million for the services of Troop T.

The Commission committed \$4.6 billion¹⁸ to a capital plan that includes roadway improvements, infrastructure projects and

¹³ Ibid., p. 83.

¹⁴ Pennsylvania Turnpike Commission, *2007 Comprehensive Annual Financial Report*, September 4, 2007, p. 23.

¹⁵ Ibid., p. 23.

¹⁶ Pennsylvania Turnpike Commission, *Pennsylvania Turnpike Commission Agency Profile*, Spring 2007, p. 8.

¹⁷ Ibid., p. 9.

¹⁸ Ibid., p. 6.

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*Introduction and
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**The Commission
has undertaken a
major
reconstruction of
the turnpike.**

information technology development to be completed over 10 years. The roadway improvements and infrastructure projects include repairing and resurfacing the original roadway, widening medians and shoulder areas, bridge repair and rehabilitation, as well as toll plaza expansions and improvements. The Commission is reconstructing the turnpike in 5- to 10-mile¹⁹ increments.²⁰

As part of the reconstruction, turnpike service plazas will also be renovated. Under the terms of a 30-year deal signed in July 2006, HMSHost Corporation will invest roughly \$100 million to construct, operate, and maintain food-court style eateries. Additionally, Philadelphia-based Sunoco will invest \$70 million to renovate service plaza fuel islands and convenience stores. The Commission expects combined gross sales at all service plazas will total \$3.5 billion over the 30-year lease. The Commission will receive a 4 to 4.5 percent share of gross plaza receipts as rent.²¹

Renovation of the service plazas began in September 2006 at the Oakmont service plaza located near the Allegheny Valley interchange. The Oakmont service plaza reopened in June 2007. Four additional plazas closed in September 2007 and reopened in May 2008.

**The Commission
implemented
E-ZPass in late
2000.**

Act 94 of 2000 first authorized electronic toll collection in Pennsylvania²² and the Commission opened E-ZPass to passenger vehicles traveling between the Harrisburg West and Lehigh Valley interchanges on December 2, 2002. By 2007, E-ZPass was available to both passenger and commercial vehicles on all sections of the turnpike except the Mon-Fayette Expressway,

¹⁹ On page 26 of the 2006 *Comprehensive Annual Financial Report*, it was noted that the cost of the reconstruction was currently \$8 to \$10 million per mile.

²⁰ As of January 2007, 46 miles of roadway have been reconstructed between mileposts 38 and 197 on the mainline. Another 20 miles between mileposts 245 and 333 on the mainline are currently under reconstruction. Additionally, expansion and improvements at the Norristown and Lebanon-Lancaster toll plazas have been completed and improvements at the Gettysburg Pike and Harrisburg-East plazas are underway. (Commission correspondence to Department of the Auditor General received January 4, 2007).

²¹ Commission News Release, Pa Turnpike, HMSHost Corp. Unveil Details of \$100 Million Service Plaza Makeover Plan. September 26, 2006.

²² 36 P.S. § 652p.1, repealed by Act 44 of 2007. See now 74 Pa. C.S. § 8117.

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where E-ZPass will be implemented in 2008. E-ZPass allows subscribers to pass through designated toll lanes without stopping to pay a toll collector.

In addition to utilizing E-ZPass as a tool for customers to pay their turnpike toll, the Commission utilizes E-ZPass technology to reduce traffic congestion and expedite traffic flow. Because significantly more transactions per hour can be processed in an E-ZPass lane (1,400 transactions) than in a traditional ticket lane (250 to 350 transactions),²³ traffic congestion is automatically reduced. By varying the number of E-ZPass entry and exit lanes available at toll plazas, the Commission expedites the flow of traffic as it enters and exits the roadway.

The Commission also utilizes E-ZPass technology to open high-speed “Express E-ZPass” lanes at toll plazas. Currently at the Warrendale, Mid-County, and Gateway toll plazas, E-ZPass customers can enter or exit the turnpike at speeds up to 55 miles-per-hour. In addition to reducing traffic congestion and expediting traffic flow, these high speed entrances and exits are a convenience to E-ZPass customers.

According to a Commission document released in the spring of 2007, 90 percent of the 409 toll lanes on the turnpike are E-ZPass capable.²⁴ The Commission’s 2007 comprehensive annual financial report noted that E-ZPass subscribers account for 46 percent of turnpike traffic and 56 percent of toll revenue, up from 18 percent and 10 percent, respectively, in 2002.²⁵

²³ “On turnpike, half of tolls were collected with E-ZPass,” Joe Grata, *Pittsburgh Post-Gazette*, <http://www.post-gazette.com/pg/pp/05087/478708.stm>. March 28, 2005. Accessed November 3, 2006; re-verified March 25, 2008.

²⁴ Pennsylvania Turnpike Commission, *Pennsylvania Turnpike Commission Agency Profile*, Spring 2007, p. 6.

²⁵ Pennsylvania Turnpike Commission, *2007 Comprehensive Annual Financial Report*, September 4, 2007, pp. 84-85.

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*Objectives, Scope,
and Methodology*

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**Objectives,
Scope, and
Methodology**

Objective

Act 122 of 1988 requires the Department of the Auditor General to conduct, on a quadrennial basis, a financial audit and a compliance audit of the affairs and activities of the Pennsylvania Turnpike Commission.²⁶

Our compliance audit, a type of performance audit, was conducted in accordance with *Government Auditing Standards* as issued by the Comptroller General of the United States. We reviewed the Turnpike Commission's performance related to safety matters and its compliance with safety-related and other requirements. In addition, we updated the status of findings reported in our most recent prior compliance audit, which was released in March 2003.

With regard to the financial audit, we have followed the same practice that our department has followed since Act 122 went into effect. Specifically, we did not conduct our own four-year financial audit and instead reviewed the audit reports and supporting documentation of the independent firm who audits the Commission's financial statements annually. Accordingly, we have reviewed those financial audits and the applicable working papers for the four fiscal years ending May 31, 2002, through May 31, 2005.

We provided our draft report to Commission management on April 1, 2008, and held an exit conference with Commission officials on April 11, 2008, after which we revised our draft to address the management's comments. We presented another draft to Commission management on June 2, 2008, and we received the Commission's written response shortly thereafter on June 6. We have included that response beginning on page 69.

Scope

The audit period for our compliance/performance audit was January 1, 2003, through December 31, 2005. The majority of our audit work was conducted from November 2006 through June

²⁶ 71 P.S. § 246(b).

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*Objectives, Scope
and Methodology*

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2007, although we continued to follow up with our work through the issuance of this report.

Methodology

We analyzed pertinent statutes, regulations, policies, and guidelines; attended Commission board meetings; interviewed Commission management and staff, as well as Pennsylvania State Police Troop T staff; reviewed available Commission documents and records; spoke with E-ZPass officials from other states; conducted Internet research; and traveled the full-length of the mainline and Northeast Extension to observe the roadway first hand.

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Introduction to Safety Findings

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Introduction to Safety Findings (Findings 1-4)

In its mission statement, the Pennsylvania Turnpike Commission pledges the following:

To operate and manage a safe, reliable, cost-effective and valued toll-road system.

The importance of the Turnpike Commission's pledge for a safe toll-road system is supported by a 2007 report by the National Safety Council.²⁷ That report notes that accidents are the fifth leading cause of death behind heart disease, cancer, stroke and respiratory disease, and that motor vehicle crashes are the leading cause of accidental deaths. The report also puts the average economic cost-per-vehicle death at \$1.15 million, the average economic cost-per-nonfatal disabling injury at \$52,900, and the average property damage crash at \$7,500.²⁸

On the following pages, we present our findings on roadway safety at the Turnpike Commission. These findings discuss the following aspects of roadway safety:

- The Commission's organizational structure and how to improve that structure to ensure accountability and a clear chain of command.
- The Commission's utilization of traffic statistics and its safety performance compared to other Pennsylvania roadways.
- The Commission's performance in disseminating roadway and traffic information.
- The Commission's performance in ensuring that vehicles enter and exit the turnpike at safe speeds.

²⁷ "Report on Injuries in America," National Safety Council, Injury Facts 2007 Edition, March 29, 2007. This report utilizes 2005 data.

²⁸ Calculable costs include wage and productivity losses, medical expenses, administrative expenses, motor vehicle damage, and other costs to the employer (i.e., costs of reporting and investigating the accident, and costs to train replacement employees or pay overtime to uninjured employees).

**A Compliance Audit of the
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Finding One The Turnpike Commission prioritized safety but has not established a chain of command that culminates with a single safety director.

Roadway safety does not simply occur. It is achieved through a three-part mix of coordinated planning, good practices, and systematic analysis of accident statistics.

If we rely on statistics that were made available to us by the Turnpike Commission and on others that we gathered from the Pennsylvania Department of Transportation, or PennDOT, we can conclude that the Turnpike Commission should be commended for a positive safety record during the period of our audit. There are two issues, however, that cause us to qualify our commendations. First, we could not be certain about the completeness of the safety statistics because of shortcomings that we identified. Second, we did not find sufficient evidence that the Turnpike Commission had a coordinated plan to analyze roadway safety statistics and to administer a systematic safety program.

The Commission's emphasis on good safety is evidenced by the Turnpike's mission statement as previously noted: "To operate and manage a safe, reliable, cost-effective and valued toll-road system."²⁹ The same emphasis on safety was also evident from our interviews with Turnpike Commission officials. Viewed from those perspectives, we found that the Pennsylvania Turnpike Commission acknowledged roadway safety as a top priority.

From an organizational standpoint, however, we found that administration of an overall safety program was carried out department by department instead of being coordinated and channeled systematically through one point in the organization. Stated another way, actual responsibility for roadway safety is dispersed throughout the Turnpike Commission itself but does

²⁹ Pennsylvania Turnpike Commission, *Annual Report 2005*, p. ii.

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Finding One

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not culminate in a single place. Responsibility is further dispersed among entities outside the Turnpike Commission itself.

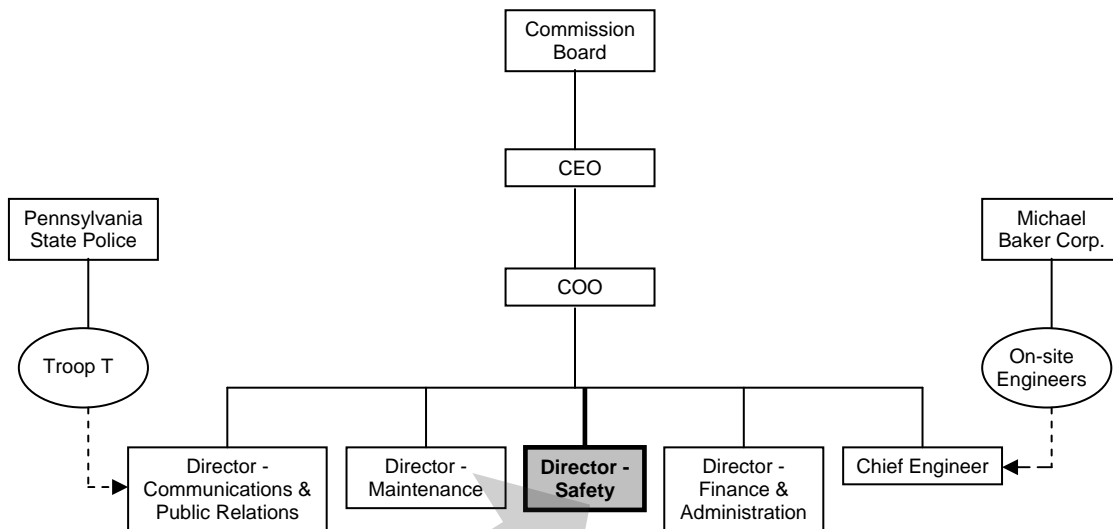
Six groups share primary responsibility for turnpike safety

The chart below represents our depiction of the six groups (four within the Turnpike Commission, one within the State Police, and one within the Turnpike's engineering firm) that have the primary organizational roles for ensuring safety on the Pennsylvania Turnpike.

Safety on the Pennsylvania Turnpike

Although safety is everyone's responsibility, organizational responsibility falls to the groups below.

Recommendation 1 on page 24 of this report calls for the addition of a safety director to the existing organizational structure of the Pennsylvania Turnpike Commission.



Recommended new position:
A safety director would coordinate safety information from its peer-level departments and channel it to the chief operating officer.

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- The structure is positive because it means that nearly everyone involved has some responsibility for safety. In other words, responsibility for safety is divided among many.
- The structure is negative based on the significant risk that, for purposes of overall operational control and accountability, there is no single, in-charge, safety director. Again, responsibility for safety is divided among many.

In government, the need for clearly designated leadership and coordination is a highly visible need because of taxpayers' vested interest. Therefore, if government does not ensure that overall responsibility and accountability for specific programs are assigned to a lead administrator who is high on the chain of command and empowered to act, the public is not well served.

During the course of our audit at the Turnpike Commission, we found there was no single senior administrator designated to hold ultimate operational responsibility for roadway safety. Instead, safety responsibilities were dispersed among the six groups as illustrated in our diagram on the preceding page. With 210 management personnel and another 188 professionals³⁰ at the Commission, there should be one high-level position responsible for safety. This individual should not only be well-qualified but also should report directly to the chief operating officer. Our previous diagram illustrates this position in the shaded block.

**Details: Description of Safety
Responsibilities of the Six Groups**

The following is a breakdown of the Turnpike Commission's current organization—internal and external—as it relates to roadway safety. By reviewing this structure, we determined which internal departments and external entities were responsible for some aspect of turnpike safety during our audit period.

³⁰ These 188 professionals include attorneys, engineers, technicians and analysts.

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Finding One

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1. Internal Group: Department of Communications and Public Relations within the Turnpike Commission

The Department of Communications and Public Relations oversees the turnpike's traffic operations and incident response functions. The Traffic Operations Center—alternately referred to by Turnpike personnel as the Operations Control Center or simply the Operations Center—falls under the jurisdiction of the communications and public relations function and represents the heart of the roadway safety operation.

Located at Commission headquarters, the operations center is staffed 24 hours a day, 365 days a year by radio operators certified in emergency medical dispatch. Turnpike drivers/customers can reach the operators by calling 1-800-332-3880, by dialing *11 on cell phones, or by using call boxes located every mile on both sides of the turnpike roadway.

In the operations center is the traveler information system, which includes closed-circuit television cameras, traffic flow detection systems, fog detection systems, programmable message boards, and the highway advisory radio (see Finding Three). Traffic Operations Center operators use a computer-aided dispatch system for coordination of and instantaneous access to the nearest turnpike responders, such as members of Pennsylvania State Police Troop T, other emergency response providers, or turnpike maintenance personnel.

Not only does the operations center work closely with responders, but it also is responsible for updating roadway message boards so that drivers are alerted to critical safety and travel issues. Furthermore, the operations center generates daily reports detailing all incidents and dispatches. These reports are distributed to interested departments internally.

It is the responsibility of the Department of Communications and Public Relations to oversee the design and management

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of the Turnpike Commission's Web site, which disseminates important information to travelers. That Web site, www.paturndpike.com, contains the page, "Travel Conditions Map," which provides current status about accidents, traffic backups, construction, and detours on the roadway. The information is updated in real-time by the Traffic Operations Center. (More information on and our evaluation of the Commission Web site is found in Finding Three.)

What is missing and what is the potential risk?

The Traffic Operations Center is an up-to-the-minute safety-assuring entity. By its very nature, it is not set up to conduct in-depth analyses of prior events. In fact, we found that everyday analyses were not systematically conducted by the operations center as part of the turnpike's routine operating procedure.

On the other hand, Turnpike officials told us that employees from various departments attended quarterly Incident Management meetings to discuss roadway safety topics. We confirmed through meeting minutes that these meetings were held at least quarterly, and sometimes more often. In 2003 and 2004, for example, there were four Incident Management meetings. In 2005 and 2006, there were five such meetings.

In our review of the Incident Management meeting minutes, we found the following:

- Meeting invitees typically included between 40 and 47 persons ranging from troopers and officials from the Pennsylvania State Police to roadway staff, department heads, and top officials—such as the chief executive officer, chief operating officer, and chief financial officer—from the Turnpike Commission.
- Actual attendees typically included half the invitees. Meeting minutes, however, were marked for distribution to all the invitees, even those who did not

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typically attend, such as the Commissions most senior executives.

- Based on the meeting minutes, we found that discussions appeared to focus more on incident reporting rather than on incident analysis. For example, the “fatality analysis” listed as part of the agenda appears from the minutes to be more a report comparing the number of fatalities from year to year, rather than an analysis to determine whether there were any factors common to every situation.

- Also based on the meeting minutes and/or interviews with turnpike officials, we found instances to show that the meeting attendees were on the right track toward having a more detailed analytical strategy. With leadership from a safety director, the meetings could be structured to bring about the more systematic, strategic, and forward-thinking approach that we found to be missing. An example: In a May 2005 Incident Management meeting, there was a report about increased fatalities, as well as a discussion about single- and multi-vehicle accidents and what was known about passenger and commercial vehicle differences in relationship to those accidents. However, the minutes made no reference to any follow-up to verify any such differences or to conduct additional analysis of the reports/discussion.

Regarding another instance, we learned from turnpike officials that an Incident Management meeting had resulted in the Turnpike’s addressing of fog-prone areas of the roadway.

Not only should the Commission continue Incident Management meetings, but it should increase the frequency to monthly meetings and also expand the agenda to include discussion of and requests for more detailed analyses. These analyses must still be based on past incidents, but they must be analyzed in such a way as to make the results forward-

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looking. Accident statistics, reported near-misses, unusual weather occurrences, and road improvements are just some of the areas that should be included in these analyses.

Stated another way, routine monthly meetings with relevant managers and senior-most officials in attendance are critical to look ahead to potential accident situations. By not routinely performing methodical mile-by-mile analyses to determine the frequency of accidents by mile marker locations, for example, the Commission has missed the opportunity to see whether there were previously unidentified patterns to accidents and other incidents based on factors such as location, time of day, type of guard rail, construction projects, proximity to entrance/exit ramps, presence of wildlife on the roadway, or any other number or combination of other factors.

Without these regular meetings and continuing analyses, the Commission is also taking a risk that its department-by-department management may overlook issues and opportunities that are critical to enhancing safety. An appointed safety director could minimize this risk by making sure that the analyses prepared and discussed monthly are based not only on topical issues but also on data that is collected routinely and systematically and then channeled to the chief operating officer. From that point, the information would be provided as appropriate to the chief executive officer and the commissioners. An appointed safety director could also take responsibility for certain specific tasks that during our audit period were assigned elsewhere; an example of such a task is the review and analysis of monthly toll plaza speed reports (see Finding Four for more information), a function performed during our audit period by the communications and public relations director, but without defined criteria and without a defined distribution or routing list. Overall, an appointed safety director could ensure that methodical analyses would be performed systematically, thereby resulting in deficiencies being revealed and related policies being corrected going forward.

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**2. Internal Group: Maintenance Department within the
Turnpike Commission**

The Maintenance Department coordinates all roadway, bridge, tunnel, and facilities maintenance projects across the roadway system. Five district superintendents are responsible for patching road surfaces and maintaining bridges and tunnels, and the Maintenance Department coordinates this work with the Engineering and Design Departments.

The Maintenance Department also ensures that its personnel are prepared to respond to accidents. Maintenance employees are many times the first to arrive at an accident and the last to leave, whether clearing or repairing the roadway or performing other functions. Accordingly, within the Maintenance Department is a manager responsible for environmental, safety, and incident management training programs.

Finally, the Maintenance Department also ensures that the turnpike's roadway is clear during winter storms. The Turnpike Commission's long-standing "bare-pavement" and "plow train" snow/ice removal policy involves plowing both the roadway and shoulder to its surface with five to six vehicles positioned so that each picks up where the vehicle ahead of it left off. The positive results of this labor-intensive policy were clearly illustrated during the Valentine's Day winter storm of 2007 when the turnpike mainline and the Northeast Extension remained clear and passable while the nearby interstate highways were closed and clogged for days.

What is missing and what is the potential risk?

We found that the Maintenance Department is the turnpike's most front-line department, and Turnpike Commission management should ensure that it looks to the Maintenance Department as much as possible to be the Commission's eyes and ears on the roadway. The Maintenance Department—because its personnel travel the roadway daily just as

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customers do—is likely the most valuable link between travelers and Commission management. Further, maintenance personnel work with engineering staff on roadway, bridge, tunnel, and other projects; they work with Troop T and the Traffic Operations Center on accident response situations; and they constantly coordinate with the operations center during winter storms to identify trouble spots on the roadway. Turnpike travelers can readily attest to the reassuring presence of the maintenance crews during snow and ice storms, and the turnpike would likely achieve even more positive benefits if a designated safety director were to meet frequently with the maintenance crews and their supervisors to gather ideas and disseminate the crews' input.

**3. Internal Group: Finance and Administration
Department within the Turnpike Commission**

The Finance and Administration Department's role in roadway safety falls solely to that department's business operations measurement administrator, who is responsible for analyzing accident statistics compiled from Troop T accident reports. The reports are compiled into a database that serves as the primary accident database at the Turnpike Commission. According to our on-site interviews, the analyses performed by the business operations measurement administrator are of a "troubleshooting" nature. The administrator told us, for example, that some of the problems identified and corrected as a result of these analyses related to truck turnovers and tunnel and lane configurations.

What is missing and what is the potential risk?

An executive-level safety director could act as a centralized and standardized clearinghouse for all statistics, assuring the Commission that traffic and accident analyses are based on complete and timely numbers. Further, the person holding this position could ensure that the accident analyses performed by different departments are coordinated. In addition, although analysis of a troubleshooting nature is important, it is equally important to analyze safety statistics

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methodically both to preempt trouble and to institute corrective measures.

4. Internal Group: Engineering Department within the Turnpike Commission

The Engineering Department uses accident statistics to make design improvements to the roadway. Commission engineers collect, review, and analyze traffic and crash data. As a result of conducting these analyses, plus by reviewing the daily Traffic Operations Center reports and Troop T observations, the engineers recommend roadway improvement, construction, and rehabilitation projects.

The Engineering Department also develops criteria for the safe movement of traffic, including traffic control plans for construction areas. In addition, the department coordinates internal roadway safety policies and procedures with external agencies such as PennDOT, the Federal Highway Administration, and local governmental agencies.

What is missing and what is the potential risk?

As previously stated under the Finance and Administration section, an executive-level safety director could act as a central clearinghouse for all accident statistics, assuring the Commission that traffic and accident analyses are based on complete and timely numbers. Further, the person holding this position could ensure that the accident analyses performed by different departments are coordinated and that data collection and reporting procedures are standardized.

5. External: Pennsylvania State Police, Troop T

Troop T provides law enforcement on the turnpike roadway and also provides the data for accident statistics.

As of January 2008, the number of state police located at the nine stations was 226. Over the course of our audit work, we found that Troop T bases its patrols on traffic volumes and

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times of the day. Over the three daily shifts, approximately 30 troopers are assigned to patrol the turnpike roadway at any given time, with a “roamer” to supplement certain patrol zones and to fill in elsewhere when necessary.

Regarding the vehicles used by Troop T officers, we found that all vehicles driven by the troopers are either rear- or front-wheel drive. Troop T had no four-wheel drive vehicles assigned to it permanently. Officials whom we interviewed explained that Troop T officers did not need four-wheel drive vehicles because the turnpike roadways were kept clear even during snowstorms. We note, however, that the turnpike is geographically located in areas (including mountainous terrain) where weather frequently creates hazardous travel conditions.

At each of the nine Troop T stations, there should be a minimum of two four-wheel drive vehicles seasonally and/or permanently assigned for use during hazardous weather conditions. Not only would Troop T officers be able to reach travelers and transport them to safety during emergency conditions when rear-wheel drive vehicles become virtually useless, but also the officers themselves will be safer as well.

In addition to its vehicle patrols of the turnpike roadway, Troop T personnel are also assisted by the State Police Aerial Reconnaissance Enforcement (SPARE) program. This program—which is not limited to the turnpike but covers the entire state—utilizes eight helicopters and seven airplanes for purposes of traffic monitoring and speed enforcement. The table on the following page presents the citations issued by SPARE by calendar year.

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**Table 1 SPARE citations³¹ issued on the turnpike
by calendar year**

2005	2006	2007
322 citations	238 citations	65 citations ³²

In addition to the troopers on the roadway and in the air, another six troopers (a supervisor and five communication specialists) are assigned to the Traffic Operations Center. It is these troopers who work most closely with Commission personnel and who are expected to ensure that troopers are dispatched promptly to roadway incidents. At any given time, at least one of these six troopers is on duty in the operations center.

According to State Police annual reports, the top priorities for Troop T personnel are to increase their visibility on the roadway and to slow speeding motorists. Enforcement statistics for Troop T are included in the Pennsylvania State Police annual reports and are presented in the table on the following page.

³¹ June 21, 2007 e-mail from a sergeant with Troop T to the Audit Supervisor, with the Department of the Auditor General.

³² Citations issued through May 2007 only.

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**Table 2 Pennsylvania State Police Troop T Enforcement Statistics
by calendar years 2003-2006³³**

	2003	2004	2005	2006*
Traffic Citations	81,558	77,144	78,943	87,821
DUI Arrests	130	122	117	133
MCSAP ³⁴ Inspections	2,771	3,171	3,833	3,596
MCSAP Citations	5,866	5,934	6,869	6,471
Criminal Arrests	366	433	583	454
Drug-Related Arrests	37	65	105	72
Written Warnings	43,092	36,091	47,679	38,037
Seat Belt Warnings	12,196	13,363	21,349	9,519
Totals:	146,016	136,323	159,478	146,103

* Although outside our audit period, 2006 statistics are included for informational purposes.

Troop T also serves as the source for information used to compile the turnpike's accident statistics. These statistics originate from individual accident reports that are completed by troopers on the scene. Troop T then provides copies of these individual accident reports to both PennDOT and the Commission.

What is missing and what is the potential risk?

The most glaring omission relating to Troop T and the Turnpike Commission is the fact that there is no written agreement outlining the specific responsibilities of either party. This omission occurs even though the relationship between the Commission and the State Police dates back to the inception of the Pennsylvania Turnpike Commission in 1940.³⁵

³³ Statistics are from the 2003-2006 Pennsylvania State Police Annual Reports.

³⁴ The MCSAP—Motor Carrier Safety Assistance Program—is a federal grant aimed at reducing the number and severity of crashes and hazardous materials incidents involving commercial motor vehicles. It was initiated in 1984 and Pennsylvania began participation in 1985. MCSAP inspections include, but are not limited to, reviewing the driver's license and record of duty status as well as a physical inspection of the vehicle for safety related items such as the brake system, coupling devices, turn signals, and tires.

³⁵ The only official documentation of the relationship is Opinion No. 357 from the Pennsylvania Office of the Attorney General of July 30, 1940, which advised Governor Arthur H. James that he could assign the Pennsylvania State Police to patrol the turnpike and use Commission funds to pay for such services.

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Over the four fiscal years ended May 31, 2006, the Turnpike Commission spent \$101.8 million to pay Troop T for its services.³⁶ Without a written agreement to enumerate the expectations and responsibilities of Troop T, it is simply not possible for the Turnpike Commission to be certain that the essential relationship between the two entities is optimized and that the benefits equal the large expense. Turnpike officials have noted, however, that they have no authority to control either the duties or the actual work performed by Troop T.

Two of the most valuable roles that an appointed safety director could play would be to serve as the high-level “point person” (1) for ensuring optimal coordination between the Commission and Troop T and (2) for reconciling traffic and accident statistics among Troop T, the Commission, and PennDOT.

6. External: Michael Baker Corporation

Since 1956, the Michael Baker Corporation—through its engineering consulting services—has helped the Commission with roadway safety. Seven on-site Baker Corporation employees work with Commission personnel and review consultant infrastructure inspections, contractor progress reports, and the annual capital budget. The presence of such a firm is required as part of the Commission’s bond holders’ indenture, which offers assurance to prospective purchasers of Commission bonds to fund projects. Additionally, Baker Corporation submits an annual report to the Commission that includes accident report totals as part of its system review and may also conduct its own infrastructure inspections.

What is missing and what is the potential risk?

The Baker Corporation is yet another entity that produces and analyzes turnpike accident statistics. Whether or not the

³⁶ The Turnpike Commission spent \$22.9 million, \$24.6 million, \$25.3 million and \$29.0 million for fiscal years ended May 31, 2003, 2004, 2005, and 2006, respectively, according to the Turnpike Commission’s annual financial reports.

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statistics and/or the analyses are redundant is not clear. Safety-related information compiled by the on-site engineering firm should be provided regularly to the proposed safety director.

Summary of Finding One

The Turnpike Commission has shown clearly that it believes in the significance of safety. On the other hand, it did not administer a safety program with oversight by a single high-level official to ensure that past safety data—accident statistics in particular—were routinely analyzed for patterns or other commonalties on which forward-looking initiatives could be based. Stated another way, with responsibility for roadway safety dispersed throughout the Commission and among external organizations, there was no single executive-level administrator who is empowered to act as an operational coordinator.

With 210 management personnel and 188 other professionals at the Commission, one position should be dedicated to safety. By dedicating an executive-level position to serve as the safety director, the Commission would avail itself a “bird’s-eye-view” of safety strengths and deficiencies across the organization. Examples of responsibilities would include ensuring the timely collection and reporting of accurate statistics, the methodical performance of statistical analyses, the all-inclusive distribution of safety information and recommendations, and the coordination and evaluation of Troop T. Similar to a traffic cop positioned at a busy intersection, a turnpike safety director could efficiently direct, delegate, and disseminate safety responsibility to the proper departments and organizations while retaining overall control and accountability. Without this position, accountability for safety is both diluted and weakened with too many equals both inside and outside the organization.

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Recommendations:

1. The Turnpike Commission should appoint an executive-level safety director to be ultimately accountable for coordinating all aspects of safety, including the regular analysis of accident statistics. This position should be on an equal level with the other directors within the organization and should also report directly to the Commission's chief operating officer.
2. To ensure it achieves the maximum results and benefits for the \$29+ million it pays each year to Troop T of the Pennsylvania State Police, the Turnpike Commission should execute a written agreement with the State Police to delineate responsibilities and performance measures.
3. The Turnpike Commission should insist that Troop T obtain at least two four-wheel drive vehicles for each of the nine Troop T stations for use during hazardous weather conditions.

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**Finding Two The Turnpike Commission did not fully utilize
available accident information.**

In addition to evaluating whether the Commission was structurally organized to maximize its ability to provide roadway safety, we also attempted to use the Commission's accident information ourselves to evaluate roadway safety independently.

Turnpike Accident Data Availability

Information on individual turnpike accidents is documented on a uniform accident report,³⁷ a form provided by PennDOT and used by all accident reporting entities statewide. For accidents that occur on the turnpike, State Police Troop T completes these accident reports and forwards copies to both PennDOT and the Commission. At the Commission, employees enter accident information from these reports into a database used by the Commission's business operations measurement administrator and the traffic engineer manager, both of whom utilize this information in the performance of their responsibilities.

Our requests to the Commission for accident information were based on specific categories of information that were already included on the uniform accident report. In other words, we did not request information that was new or different from that which should have been already collected. Even so, the Commission was unable to provide us with certain categories of information as we requested. Additionally, the initial information we did receive was not complete. When compiling the statistics that we requested, data from some sections of the roadway was inadvertently omitted. This omission limited the procedures we could perform and caused us to question the accuracy and the reliability of the statistics provided.

We met with Commission officials on April 11, 2008, to discuss our findings. The Commission subsequently provided an

³⁷ The Pennsylvania Vehicle Code 75, Pa. C.S. § 3752, requires PennDOT to supply to all law enforcement agencies and other appropriate agencies or individuals forms for written accident reports.

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electronic file of accident information that had not been provided to us earlier. This very comprehensive data showed us that the Commission did indeed have detailed accident statistics available to use for analysis; nevertheless, there were some shortcomings.

Shortcomings in the Commission's accident database

We noted three shortcomings in particular. The first is that the database information was incomplete. That is, not all information from the Troop T accident reports was entered into the database. Second, the information that was entered was not always entered as timely as it might have been. Third, the database had limited information sorting and retrieval capabilities.

During an interview, a Commission official assured us that the Commission could generate statistics from any category that was included on the uniform accident report. However, this statement was contradicted by our not receiving accident information for several categories of the information we requested and by the subsequent acknowledgment by the Commission that it could not provide certain other categories of information. Again, these categories of information—which are critical for performing safety analyses—were already included on the accident report forms, but they simply were not entered into the database.

We also heard from an official that the Commission did not always enter Troop T accident report data into the database as soon after an accident as possible, and that the database could be improved if such up-to-date entries were made routinely. Also, according to Commission officials, the accident data is frequently revised,³⁸ sometimes as much as a year or more after the accident. Therefore, on-going and routine analyses are needed.

Finally, we learned that the Commission's database would not allow the sorting and/or retrieval of certain accidents according to accident type. This shortcoming represents a serious impediment

³⁸ Revisions are made when additional information is obtained as a result of an accident investigation. Also, revisions are made when data entry errors are identified when accident details are reviewed for "trouble-shooting" purposes.

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when we consider that the database is used by the traffic engineer manager, for example, to recommend roadway improvement projects. The Turnpike Commission should ensure that all appropriate Commission personnel have the tools and technology to generate reports based on any configuration and/or sorting of data necessary to perform various job functions.

Three important uses of the accident database

Currently, Commission personnel utilize and rely on information from the Commission's accident database in three specific circumstances. The first is in response to roadway conditions as reported by Troop T and the Maintenance Department. The second is for use when the Engineering Department plans a construction project. The third is related to incident management meetings as we discussed in Finding One.

In the first circumstance, Maintenance or Troop T personnel on the roadway notify the Engineering Department of a roadway condition that should be corrected in some fashion. The Engineering Department then uses this information to search both the accident database and pavement condition reports. If the search results in information related to the reported condition—for example, were there accidents at the site of a reported roadway condition related to poor water drainage?—then engineering personnel visit the site to observe the condition firsthand and decide what needs to be done. In the preceding example, a decision to correct poor water drainage might typically entail roadway maintenance such as unclogging drains or re-grading the roadway.

The second circumstance under which Commission personnel utilize and rely on information from the Commission accident database occurs for capital projects involving roadway reconstruction. In those cases, the Engineering Department not only utilizes the accident database but also uses biannual roadway surveys to prioritize sections of roadway in need of reconstruction.

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The other utilization of the Commission accident database is by the Business Operations Measurement Administrator. At the Incident Management meetings—which we discussed in Finding One—this administrator reports on fatal crashes. The administrator also prepares statistical reports as requested by Commission officials. An example: when Commission officials identified potential problems related to truck turnovers, the administrator prepared reports on applicable incidents.

The preceding uses of turnpike accident information are significant and appropriate, and this finding—Finding Two—is not intended to minimize these uses in any way. However, as we addressed in Finding One and will discuss further here, there is so much more that could be done if the Commission were to perform routine trend or pattern analyses using its accident statistics. Such a usage goes beyond the three circumstances just discussed.

**Troop T accident analyses not reflected
in Incident Management meeting minutes**

Based on our discussion with Troop T personnel, we learned that the Pennsylvania State Police perform accident analyses at the individual field station and troop levels, as well as at a statewide level. Troop T personnel told us that they incorporated the results of these analyses into the roadway enforcement efforts, and that that they (Troop T personnel) also share the results of their accident analyses with the Commission at the Incident Management meetings.

Although we find that the Troop T analyses would be both significant and useful to any safety program, we were unable to confirm through our review of Incident Management meeting minutes that the results of such analyses were actually shared with the Commission. This statement is not to say that the sharing of the results of these analyses did not occur but rather that, if it did occur, the documentation did not appear in the meeting minutes as would have been appropriate.

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**Continued discussion about the Turnpike Commission's
limited use of accident data for routine analysis**

We began this discussion in Finding One, focusing more on the lack of a single safety director to initiate and coordinate routine analyses of past accident data to achieve proactive and forward-looking results. We also noted that, initially, the Commission had not provided us with the statistical data that we would have needed to evaluate our concerns in greater detail.

In a reversal of its position near the end of our audit work, the Commission did provide us (on April 18, 2008) with reports containing an extraordinary amount of invaluable statistical data as we had originally requested. At that point, we were able to conduct some limited testing.

Our simple analysis revealed potential patterns of accidents according to sections of roadway, driver actions, and roadway conditions. If we had had additional time available to conduct more detailed audit work, and if we had had direct access to the actual database itself (as opposed to a report), it is certain that any potential patterns could have been used either to point to problems or—based on further study and explanation—to rule them out.

The important point regarding all the accident data available, even with the database shortcomings mentioned earlier, is this: If the Turnpike Commission were to perform routine in-depth investigations and analyses coordinated by a single safety director, the Commission could illuminate trends that may not be revealed by basic reviews or by periodic but limited reporting. Problems could be identified and/or ruled out, and solutions could be developed and applied routinely as needed.

Although the following categories are not exhaustive, the Commission should include the following questions in any detailed analyses that are conducted routinely:

- Can any patterns be identified by reviewing accidents/incidents by mileposts?

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- Can any safety problems or successes be identified by analyzing the accidents/incidents at interchanges?
- Can any safety problems or successes be identified by analyzing the accidents/incidents in tunnels?
- Can any safety problems or successes be identified by analyzing the frequency of accidents/incidents in construction zones?
- Can any safety problems be identified analyzing driver visibility problems related to rising or setting sun?
- Can any safety problems be identified by particular times of day? by type of vehicle? by use of cell phones?
- Can any safety problems or successes be identified by analyzing areas with heavy deer populations?
- Can any safety problems or successes be identified by analyzing the response time of maintenance crews to removing debris or objects from the roadway or the roadside? (It should be noted here that our own observations of the turnpike roadside have shown that it is very well maintained.)
- Can any safety problems or successes be identified by analyzing the amount, location, and wording of signage?
- Can safety successes be identified in certain areas or circumstances where Troop T officers have increased their enforcement or stepped up their patrols?

The Commission's goal of operating the safest possible roadway justifies the initiation of standardized, systematic, regular, and documented accident trend analyses. The ultimate responsibility for these analyses and ensuring that corrective actions are taken for identified problems should fall to the proposed Safety Director.

**Results of our own accident analysis using
accident information published by PennDOT**

In choosing whose statistics to use—the Commission's statistics or PennDOT's—to perform our own evaluation as discussed in the remainder of this finding, we ultimately chose the statistics published by PennDOT because they were more complete than

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the statistics from the Commission. Specifically, we used the annual PennDOT booklet entitled *Pennsylvania Crash Facts and Statistics*.³⁹ This booklet is a statistical review of all reported motor vehicle accidents that occurred on Pennsylvania roadways during a given year and is compiled using the information provided on the uniform accident report. It presents statistics from the reporting entities by county, vehicle type, driver age, and type of roadway, among other categories.

Using *Pennsylvania Crash Facts and Statistics*,⁴⁰ we made some general observations regarding the turnpike. Specifically, we noted that, between 2003 and 2006, the turnpike had a 0.30 percent increase in vehicle miles traveled, but an 8.45 percent decrease in crashes, a 20.43 percent decrease in injuries, and a 41.96 percent decrease in fatalities.

Using statistics from the 2003, 2004, 2005, and 2006 booklets, we also compared crash, injury, and fatality statistics on the four categories of Pennsylvania roadways – the turnpike, interstate roadways, state roadways, and local roads. To compare the four roadways on a similar basis, we used PennDOT’s statistics for crashes, injuries, and fatalities that were calculated on a 100 million vehicle mile basis. The following three graphs plot the statistics for each of these three categories. The third graph also includes lines for the national fatality rate.⁴¹

³⁹ The booklet is available at the PennDOT Web site, www.dot.state.pa.us. To access the booklet, click on the following set of links: *PennDOT Organizations, Bureaus & Offices, Bureau of Highway Safety and Traffic Engineering, Crash Information Systems and Analysis, Crash Facts and Statistics Books*, and then click on the desired year.

⁴⁰ Information is from PennDOT’s *Pennsylvania Crash Facts and Statistics*, 2003, 2004, 2005, and 2006.

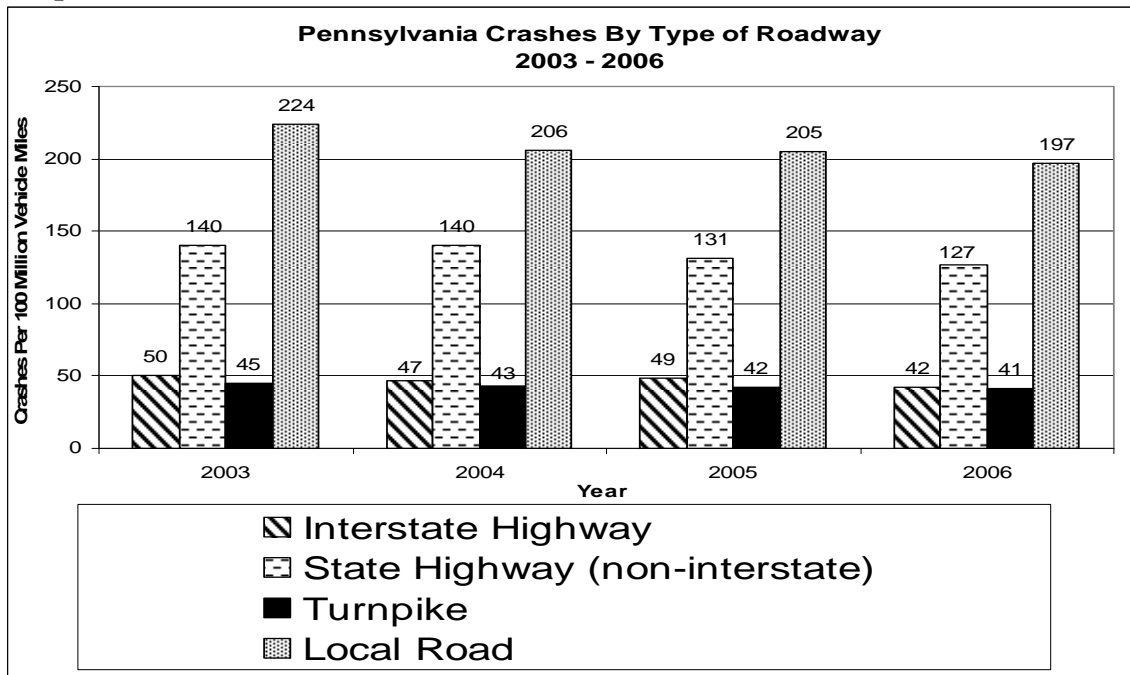
⁴¹ The national rate was obtained from the National Highway Traffic Safety Administration’s *Traffic Safety Facts 2006*. This number is calculated using data gathered from all public roadways and reported by all 50 states, the District of Columbia, and Puerto Rico.

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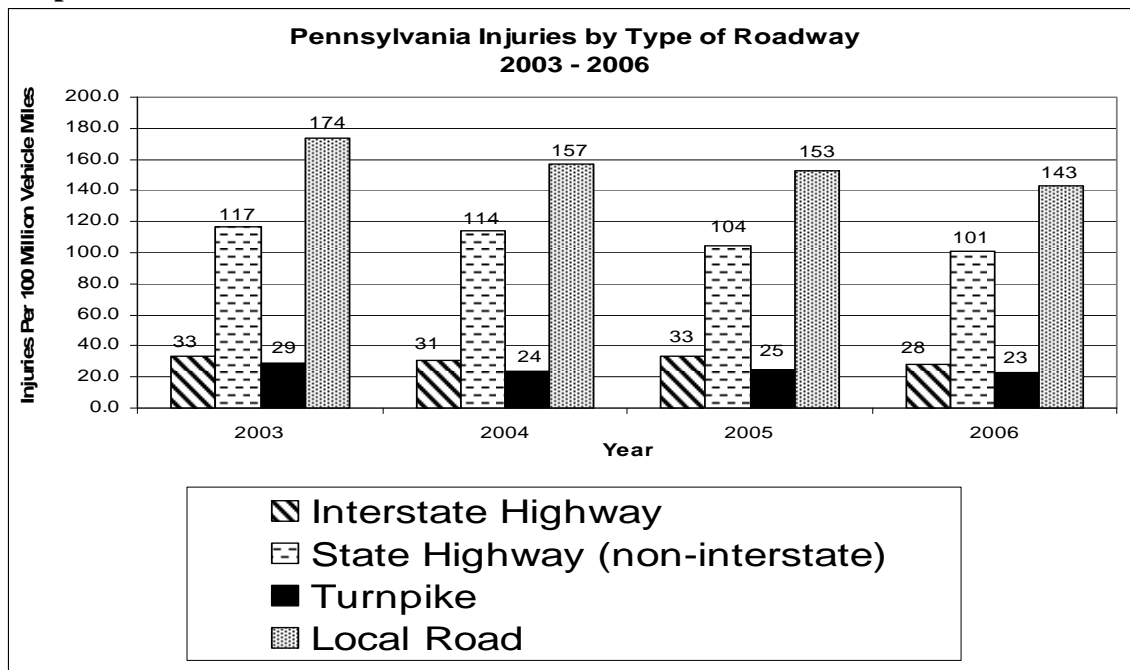
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Graph 1



Graph 2

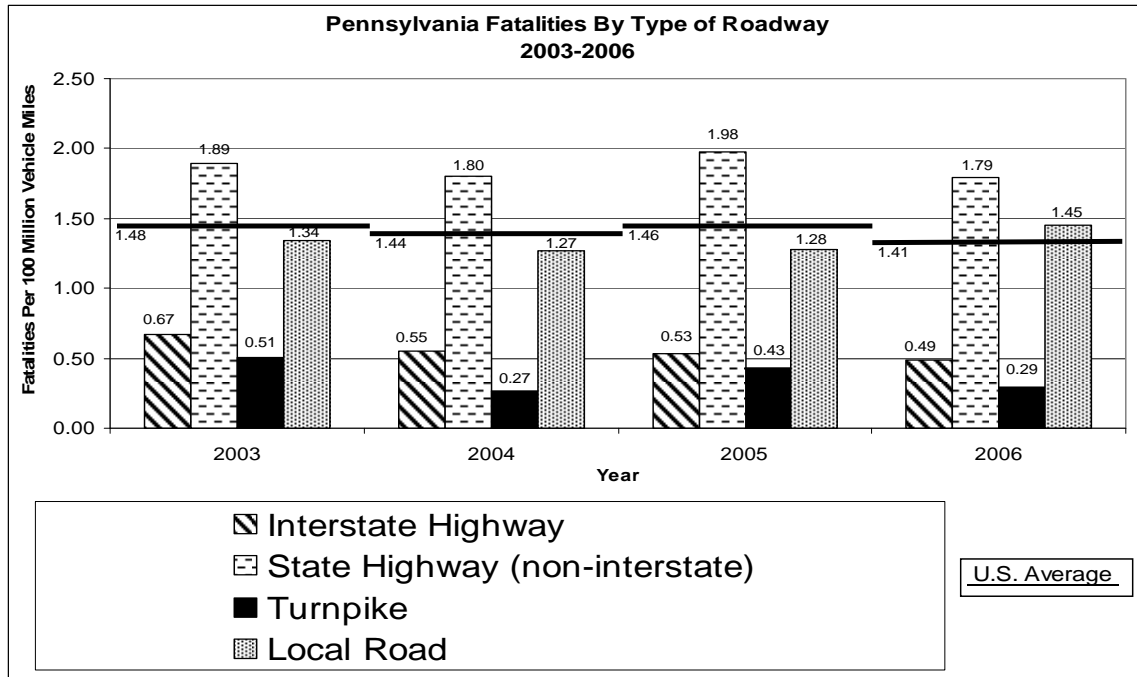


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Graph 3



In comparing the three graphs, we note that the turnpike statistics were consistently lower in all three categories, especially in comparison to state roadways and local roads. In 2006, for example, a person was three or four times more likely to be involved in a crash or be injured when traveling on a Pennsylvania state highway, and five to six times more likely to be involved in a crash or be injured when traveling on a Pennsylvania local road than when traveling on the Pennsylvania Turnpike. And, in 2006, a person was over six times more likely to die on a Pennsylvania state highway and five times more likely to die on a Pennsylvania local road than on the Pennsylvania Turnpike.

In all three categories—crashes, injuries, and fatalities—both Pennsylvania interstate roadways and the turnpike track significantly lower than Pennsylvania state roadways and local roads. This difference could be due, in part, to the similarities between the turnpike and interstate roadways: both are multi-lane, limited access roadways. However, the difference could

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also be due, in part, to differing regulatory authorities. The interstate system (of which the Pennsylvania Turnpike is part) is subject to state and federal safety regulations, whereas state roadways and local roads are subject to only state regulations.

In general, the statistics we reviewed show that the turnpike has a commendably lower accident rate, as well as fewer injuries and fatalities, than the interstate highway system, which is the roadway most like the turnpike for comparative purposes. However, even with commendable numbers, the Turnpike Commission will certainly agree with the obvious observation that any crash, injury, or fatality is one too many, and that every effort should be made continually to reduce the number of crashes, injuries, and fatalities.

Recommendations

4. The Turnpike Commission should perform routine, standardized, systematic and documented accident trend analysis on all statistics in its accident database.
5. The Turnpike Commission should ensure that accident information is entered into its accident database timely.
6. The Turnpike Commission should ensure that its database includes information from all the categories included on the uniform accident report forms, and that every category can be isolated for inclusion in reports.

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The Turnpike Commission did not perform consistently in its dissemination of roadway and traffic information.

Our objective for this portion of the audit was to observe how well the Commission disseminated roadway and traffic information to its customers. To complete part of this objective, on Monday, April 2, 2007, we traveled east on the mainline from exit 242 (Harrisburg West) to exit A20 (Mid-County) then north on the Northeast Extension to exit A115 (Wyoming Valley).

Roadway and traffic information on the Commission's Web site was not conveniently or easily accessed.

In preparation for our trip, we accessed the Commission's Web site, www.paturndpike.com, for sources of roadway and traffic information. It was our overall judgment that the Web site was not organized as well as it could have been, and that information we sought was not easily located. Additionally, we found that Web site page titles were not useful in helping us locate the desired information and that the Web site included links to other Web site addresses that were either incorrect or no longer available. In short, the site was not especially user-friendly.

The narrative that follows discusses these issues in greater detail.

Generally, most of the Commission's Web site roadway and traffic information is located on the pages *Traveler Information* and *About PTC*. This information includes, but is not limited to, emergency numbers, turnpike maps, a toll/mileage calculator, traffic regulations, turnpike service plazas and TRIP (Turnpike Roadway Information Program) information.

Some information on the Commission's Web site was incorrect, no longer available, or redundant.

In addition to roadway and traffic information not being available on one page, we found that page titles did not adequately convey the type of information contained on the page. For example, under *About PTC*, is *Transportation Links*, which contains links that include important roadway and traffic information for turnpike travelers in the New Jersey and Interstate 95 corridor areas. However, because the page titles *About PTC* or *Transportation Links* do not suggest that actual traffic information is included on the page, it would take either luck or a

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concerted, diligent effort for customers to find these New Jersey and Interstate 95 links.

Under the *About PTC* page, we found several Web site addresses that were incorrect and sites that were no longer available. For example, a Web site address listed under *Service Plazas* was missing a letter, and only by accident did we find the correct address while verifying other Web site addresses. Another one of the Web site addresses listed under *Regional Travel Advisory Links* was also incorrect. We found the correct address for this particular Web site through a Google search. In addition, one Web site listed under *Regional Travel Advisory Links* and two sites listed under *Weather Related Links* were no longer available at the time of our testing. Finally, because of the overabundance of links on the Commission's Web site, including some which were redundant, we ultimately did not access every link and, therefore, like customers, may have overlooked potentially helpful or important sources of roadway and traffic information.

During an April 2007 trip on the Northeast Extension, we verified that the Commission timely and correctly updated roadway information on four different roadway and traffic alert systems.

During our trip, we tested the accuracy of the roadway and traffic information disseminated by the Commission by verifying the information available on the Commission's highway advisory radio channel, travel conditions map, toll-free telephone number, and variable message boards. The highway advisory radio broadcasts advisories on current roadway and traffic conditions for the turnpike and connecting roadways at 1640 AM from transmitters located at each interchange. The travel map, found at www.paturndpike.com/webmap/PTCIE.htm, includes updated travel advisories, weather conditions, and construction alerts. The toll-free number, 1-866-976-TRIP (8747), provides customers en route with updated information on roadway and traffic conditions. And the permanent and portable electronic message boards located along the roadway are utilized by the Commission to forewarn travelers of potential delays due to accidents, construction, weather, and heavy traffic.

Our opportunity to verify these Commission roadway and traffic information sources occurred during our trip at 11:00 a.m. when, while traveling northbound on the Northeast Extension, we observed an overturned tractor-trailer on the opposite side of the

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roadway. In tuning to 1640 AM, we learned which section of the roadway was closed (southbound between the Mahoning Valley and Lehigh Valley exits), what alternate routes were available to us (US 209S to state 248E to state 145S to US22W), and when we could expect the closed section of roadway to re-open (2:00 p.m.). Later, at 12:30 p.m., we called the toll-free number and learned of a one-mile traffic backlog at the southbound Mahoning Valley entrance to the turnpike. Afterward, as we approached the Mahoning Valley exit while traveling southbound, we observed several portable message boards alerting us that the upcoming roadway was closed and that all traffic should exit.

When the roadway re-opened (15 minutes before the expected re-opening time), we again tuned to 1640 AM, accessed the travel conditions map, and called the toll-free number. In every case, we found that each alert system had been timely and correctly updated.

During a June 2007 trip on the mainline, a Department employee noted that the Commission's highway advisory radio and electronic message boards provided incorrect and misleading roadway and traffic information.

On another trip taken by another auditor, the experience was not nearly as positive. In fact, the information that was broadcast by the highway advisory radio and displayed on roadway message boards was misleading rather than helpful. Specifically, on Wednesday, June 13, 2007, a portable message board several miles before the Carlisle exit (on the eastbound side) advised travelers of a traffic back-up at the Carlisle exit and directed travelers to tune to 1640 AM. However, in tuning to 1640 AM, the auditor heard only static until the car approached the exit, at which time the auditor could hear the Commission's standard prerecorded safety message faintly above the static. After exiting, the auditor found neither the expected traffic back-up nor any evidence of an accident, construction, or any other activity that would have created a back-up.

Four concerns arise as a result of this experience. First, turnpike customers who encounter static when they tune into the highway advisory radio will be discouraged from utilizing this important source of safety information. Second, when information cannot be heard clearly even at the interchange from which it is transmitted, the information is useless. Third, inconsistent

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information on the message board and on the highway advisory radio is also useless. Fourth, incorrect information related to safety puts travelers at risk if they rely on it.

We later learned in speaking with Commission employees that portable message boards are often set up at the Carlisle exit on Wednesday evenings in anticipation of back-ups that frequently occur as a result of the car shows that are held each year at the Carlisle Fairgrounds beginning in late spring and ending in early fall. However, after reviewing the Fairgrounds' Web site, we found that 8 of the 10 events posted for 2007 had begun on Fridays, not on Wednesdays. Therefore, it appears that the information provided might have been posted prematurely.

Cases also have been reported publicly when the Commission either did not inform or was late in informing motorists of traffic tie-ups caused by accidents. For example, according to an August 8, 2006, news story, "motorists had little or no warning that they would be trapped in traffic for up to three hours because a fiery tractor-trailer accident closed a stretch of the eastbound lanes."⁴² A similar experience was reported in June 2007 when, again, it was reported that motorists sat in traffic for hours due to an accident. One motorist complained that he should have been notified of the back-up before he entered the Turnpike: "Had one of the turnpike's portable scoreboard style message boards been positioned at the entrance ramp.... I would not have entered the road."⁴³

In instances like those above, turnpike officials should provide timely information to motorists regarding accidents and road closures.

⁴² "Turnpike officials admit they messed up," Tom Bowman, *Harrisburg Patriot-News*, <http://www.pennlive.com>. August 8, 2006. Accessed August 10, 2006.

⁴³ "A frustrated traveler's advisory: Put tie-up warnings at toll plazas," David Jones, *Harrisburg Patriot-News*, <http://www.pennlive.com>. June 26, 2007. Accessed June 27, 2007.

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Recommendations:

7. The Turnpike Commission should ensure that its Web site is organized in such a way that is more user-friendly.
8. The Turnpike Commission should routinely review its Web site to ensure the accuracy and availability of listed links.
9. The Turnpike Commission should monitor the highway advisory radio continuously for accuracy and clarity.
10. The Turnpike Commission should ensure that portable message boards on the roadway reflect either current traffic conditions or—if the boards are used prospectively—information that explains when the listed conditions are expected to occur.
11. The Turnpike Commission should utilize available technology to ensure that the highway advisory radio is operational the entire length of the turnpike, including in tunnels.

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The Turnpike Commission did not ensure that vehicles entering and exiting the turnpike at E-ZPass toll plazas traveled at safe speeds.

Drivers who exceed speed limits posted at toll plazas pose significant dangers to themselves and other drivers, as well as to turnpike employees working at the toll plazas.

The Turnpike Commission neither enforced speed limits, nor cited speeders in E-ZPass lanes. This finding is particularly relevant to the issue of safety because speeders in the E-ZPass lanes pose a significant danger to themselves, other drivers, and especially to turnpike employees who work at the toll plazas.

We also found that the Commission had incomplete data related to monitoring speeding at exits and, in any event, did not use even the data that it had. In fairness to the Commission, however, we recognize that Pennsylvania law limits the use of E-ZPass data to purposes that are directly related to toll collection, with only a few exceptions.⁴⁴

Currently, 50 turnpike toll plazas have E-ZPass lanes: 31 toll plazas on the mainline, 9 on the Northeast Extension, 4 on the Amos K. Hutchinson Bypass, and 3 toll plazas each on the Beaver Valley Expressway and Findlay Connector. At these 50 toll plazas, non-express E-ZPass lanes have a posted speed limit of 5 miles per hour.⁴⁵ At the 3 toll plazas that also have Express E-ZPass lanes,⁴⁶ the posted speed limit for these lanes is 55 miles per hour.⁴⁷

When turnpike customers travel through an E-ZPass lane, the following information is captured: the interchange and lane numbers, date, time, transponder number, and vehicle speed. This information is collected and stored in a database at TransCore, the Commission's E-ZPass vendor/provider. It is TransCore's database that is used to generate the monthly speed

⁴⁴ See 74 Pa. C.S. § 8117(d).

⁴⁵ The only exception to this 5 miles-per-hour posted speed limit for non-express E-ZPass lanes is the Virginia Drive slip ramp, which has a posted speed limit of 25 miles per hour. This higher speed limit is most likely because only E-ZPass customers have access to slip ramps and, therefore, no customer will be stopping to pay a toll.

⁴⁶ The three toll plazas with Express E-ZPass are Mid-County, Warrendale, and Gateway.

⁴⁷ However, at Mid-County, an advisory speed limit of 35 miles per hour is posted on the northbound side of the Express E-ZPass exit, due to the curvature of the roadway.

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monitoring reports that the Commission began receiving in March 2005.

We reviewed four speed monitoring reports as part of our work. The dates of these reports were March 2005, February 2006, May 2006, and November 2006. Each report displayed speeds in increments of 5 miles per hour. For each toll plaza location, the report listed the number of vehicles entering or exiting each dedicated E-ZPass lane and categorized them according to their speed.

The speed monitoring reports utilized by the Commission did not include all vehicles that enter and exit the turnpike through E-ZPass lanes.

In reviewing these reports, we found that they did not contain all the data available for the Commission to monitor speeds and evaluate whether speeding is a problem. For example, we identified some toll plazas without any numbers or just with exit numbers and no entry numbers. We also noted other toll plazas where the number of vehicles exiting the plaza was more than twice the number entering the toll plaza. An example of this type of discrepancy is included in the November 2006 report, which lists 650 vehicles entering and 591,305 vehicles exiting the Philadelphia toll plaza. Such a large discrepancy indicates that any analysis based on the reports would be inadequate and/or incomplete. The table below illustrates the deficiencies we found.

Deficiencies in the Commission's Speed Monitoring Reports

	Column #1	Column #2	Column #3	Column #4	Column #5
Table 6	Total number of turnpike E-ZPass toll plazas	Number of toll plazas included in report	Number of toll plazas in report with no entry numbers recorded	Number of toll plazas in report with both entry and exit numbers recorded	Number of toll plazas in report for which exit numbers were at least twice as high as entry numbers
March 2005	40	39	15	24	18
February 2006	40	39	19	20	10
May 2006	40	40	15	25	14
Nov. 2006	50	45	22	23	13
Auditors' comments	<ul style="list-style-type: none"> ▪ Column #2 should total column #1, but it does not because some toll plazas were omitted from the report. ▪ Columns #3 and #4 total column #2. ▪ Column #5 is a subset of column #4 and shows discrepancies that caused us to question the completeness of the numbers. 				
Auditors' conclusion	<ul style="list-style-type: none"> ▪ Reports that lack available data about speeds from <u>all</u> lanes and plazas compromise the Commission's ability to monitor speeds and evaluate related problems. 				

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When we met with Commission officials to discuss our comments about the incompleteness of the speed monitoring reports, the officials explained that all the “missing” data had actually been collected but that the reports had simply not included all that data. Moreover, the Commission officials agreed to include complete data in future speed monitoring reports so that monitoring could be more comprehensive.

In addition to reviewing the Commission’s four speed monitoring reports for reliability, we also reviewed them to determine the number of vehicles that entered and exited at unsafe speeds. In our review of non-express E-ZPass toll lanes, we established 30 miles per hour as the upper limit for a safe speed. We used this speed based on an October 2006 report, *State of the Practice and Recommendations on Traffic Control Strategies at Toll Plazas*, published by the Federal Highway Administration of the U.S. Department of Transportation.⁴⁸

Non-Express E-ZPass Toll Lanes

In the following table, we summarize the number of vehicles that, according to the speed monitoring reports which we reviewed, exceeded 30 miles per hour.⁴⁹ However, because of the deficiencies noted previously (i.e., no entry numbers, unrealistically low entry numbers, and no numbers for some lanes), we caution that the numbers in the table reflect the minimum number of vehicles that exceeded safe speeds.⁵⁰

⁴⁸ This federal report recommends a maximum posted speed limit of 25-30 miles per hour at non-express electronic toll collection lanes.

⁴⁹ No numbers are included in three of the four months for the Amos K Hutchinson Bypass, which became E-ZPass accessible in June 2006, and for Mid-County, which became an Express E-ZPass toll plaza in October 2005.

⁵⁰ The table includes only those toll plazas that, according to the Commission’s reports, had at least 10 vehicles entering or exiting at more than 30 miles per hour in at least one of the four months. Therefore, six toll plazas—Butler Valley, Donegal, Somerset, Fort Littleton, Lancaster, and Clarks Summit—were not included. A lack of at least 10 vehicles traveling at more than 30 miles per hour does not necessarily indicate that a speeding problem did not exist. Instead, it may simply be the result of incomplete information, as four of these six plazas did not have entry information in any of the four months.

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Table 7 The Minimum Number of Vehicles Entering or Exiting at More Than 30 Miles Per Hour Through a Turnpike E-ZPass Toll Lane With a Posted 5 Miles-Per-Hour Speed Limit

	Mar '05	Feb '06	May '06	Nov '06
AKH Bypass	-	-	-	135
Gateway	123	68	106	235
Allegheny Valley	26	46	99	101
Pittsburgh	217	67	187	113
Irwin	246	197	348	218
New Stanton	74	106	134	106
Bedford	8	10	17	14
Breezewood	133	94	195	255
Willow Hill	19	24	51	79
Blue Mountain	23	12	44	11
Carlisle	58	42	135	96
Gettysburg Pike	15	10	24	30
Harrisburg West	25	20	72	42
Harrisburg East	20	52	70	205
Reading	754	385	709	591
Morgantown	155	270	252	165
Downingtown	310	401	876	659
Valley Forge	2,274	2,592	5,500	3,867
Norristown	617	494	2,137	1,593
Mid-County	2,387	-	-	-
Fort Washington	791	953	2,231	1,919
Willow Grove	689	803	1,693	1,836
Philadelphia	1,650	3,483	7,508	7,364
Delaware Valley	47	161	247	86
Delaware River	2,749	2,261	3,929	2,899
Lansdale	1,115	2,647	5,236	5,002
Quakertown	246	348	633	607
Lehigh Valley	2,047	6,138	7,486	3,976
Mahoning Valley	56	203	367	387
Pocono	356	3,132	6,197	3,317
Wilkes-Barre	10	22	21	49
Wyoming Valley	1,222	1,972	2,515	1,516
Keyser Ave	121	261	299	341
TOTALS	18,583	27,274	49,318	37,814

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Further analysis of the report numbers disclosed that 52,657 vehicles—on average, more than 13,000 vehicles each month—entered or exited turnpike toll plazas at speeds above 40 miles-per-hour despite posted speed limits of just 5 miles per hour.

Worse, through the non-express lanes at toll plazas where the speed limit is 5 miles-per-hour, of the 52,657 vehicles traveling at unsafe speeds, there were 477 vehicles whose speeds were reported to be above 70 miles-per-hour, with 91 of those vehicles entering or exiting the turnpike at speeds over 90 miles per hour.

Express E-ZPass Toll Lanes

In our review of Express E-ZPass toll lanes, we used the Commission's posted 55 miles-per-hour speed limit as the upper limit for a safe speed. In the following table,⁵¹ we summarize the number of vehicles that, according to the four speed monitoring reports, exceeded 55 miles per hour when traveling through turnpike Express E-ZPass toll lanes.⁵²

Table 8 The Number of Vehicles that Traveled Through Turnpike Express E-ZPass Lanes at More Than 55 Miles Per Hour

	Mar '05	Feb '06	May '06	Nov '06
Warrendale	106,447	110,994	145,588	142,640
Mid-County	-	263,311	417,528	368,999
TOTALS:	106,447	374,305	563,116	511,639

Further analysis of the Express E-ZPass toll lane numbers disclosed that 14,602 vehicles—more than 3,500 vehicles each month on average—traveled through at speeds above 70 miles-per-hour. Of these 14,602 vehicles, 292 traveled through at speeds above 80 miles-per-hour, with 14 of the 292 vehicles exceeding 90 miles-per-hour.

⁵¹ The four speed monitoring reports included both entry and exit numbers for the Mid-County and Warrendale toll plazas and the difference between these two numbers was minimal. Thus, unlike at non-express toll lanes, it is possible that these numbers are comprehensive.

⁵² Mid-County did not become an Express E-ZPass toll plaza until October 2005; therefore, no number is included in the table for March 2005. Also, Gateway did not become an Express E-ZPass toll plaza until 2007 and is therefore included in the previous table of non-express E-ZPass toll plazas.

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Of equal if not greater concern than these numbers is the fact that the Turnpike Commission did nothing about the vehicles that speed through E-ZPass toll lanes even though the Commission possessed the very same speed monitoring reports that we reviewed.

**The E-ZPass
agreement requires
turnpike customers
to obey posted speed
limits.**

It should also be noted the Commission's E-ZPass agreement with its customers includes a provision stating that the customer agrees to obey posted speed limits "in all E-ZPass lanes." However, this provision does little good if it is not enforced.

Our prior audit report included a finding that the Commission did not enforce speed limits posted at toll plazas. We recommended that the Commission penalize drivers who violate the speed limit. At the time, the Commission responded to our finding by stating that there had been "no injury directly related to speed in an E-ZPass lane. Our statistics demonstrate the vast majority of E-ZPass customers are driving through the lanes at very safe speeds."

Our work for this current audit confirms that the Commission's prior statement is correct for the vast majority of vehicles entering and exiting the turnpike at the non-express toll plazas. Specifically, based on the November 2006 report that we reviewed, only two percent of the vehicles entered and exited at speeds over 30 miles per hour. However, the Commission's statement is not correct regarding Express E-ZPass toll lanes. Based on the same November 2006 report, 29 percent of the vehicles traveled through at speeds over 55 miles per hour.

In light of the significantly large numbers of vehicles entering and exiting the turnpike at unsafe speeds, it is clear that the Turnpike Commission must do more to address this problem. It is simply not enough for the Turnpike to suggest that, based on the fact that a majority of travelers enter and exit the turnpike at safe speeds, there is no problem. In fact, the Turnpike Commission should recognize that its toll plaza employees are the most endangered when it comes to excessive speeds at toll plazas.

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Toll authorities in neighboring states do sanction customers who exceed the speed limit posted at toll plazas.

Unlike the Pennsylvania Turnpike Commission, the toll authorities in New York, New Jersey, and Maryland with whom we spoke stated that they impose sanctions on travelers who exceed speed limits posted at E-ZPass toll plazas. In these states, first-time offenders receive warnings, and drivers with multiple offenses have their E-ZPass privileges suspended or revoked.

Recommendations

12. The Turnpike Commission should take action to monitor and enforce the posted speed limits at all toll plazas. Not only is such action a safety measure, but it also is a measure to ensure that E-ZPass customers comply with their E-ZPass agreements. Actions should include the imposition of penalties for violating E-ZPass speed limits, including the revocation of the E-ZPass privileges of repeat violators, the installation of warning systems at toll plazas to call attention to drivers who exceed posted speed limits, and potentially the issuance of traffic citations for violation of the Motor Vehicle Code. If legislative changes are needed to permit more aggressive enforcement, the Turnpike Commission should lobby for such changes.
13. The Turnpike Commission should institute a public awareness campaign to advise customers of speed limits at toll plazas and the consequences for violating those speed limits.

Further, to ensure that the Commission's newly implemented speed policies and procedures are operating as intended, we recommend the Commission continue to monitor vehicle speeds at all toll plazas. As part of this monitoring, the Commission should accept and implement the following recommendations:

14. The Turnpike Commission should ensure that the speed monitoring reports received from TransCore contain data for all toll plazas and for all E-ZPass vehicles entering and exiting the turnpike.

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15. The Turnpike Commission should ensure that it thoroughly reviews the speed monitoring reports and communicates the results to the appropriate officials for action.
16. The Turnpike Commission should ensure that it implements the necessary policies and procedures to provide the highest possible level of traveler and employee safety.

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The Turnpike Commission wrote off over \$2.6 million in 2006-07 by collecting only a portion of unpaid E-Z Pass lane tolls and fees, some of which represented violations from previous years. Equally important, there were even more toll violators that the Commission could neither identify nor count, a problem that resulted in still more lost revenue.

Over the course of our audit period, the Turnpike Commission wrote off ever-increasing amounts for the uncollected tolls of violators who used E-ZPass lanes without paying. Ultimately, the effect of these write-offs is that toll-paying turnpike travelers are subsidizing the tolls of the violators who ride the turnpike for free.

We found this same problem during our prior audit. As a remedy, we recommended that the Commission take steps to identify all E-ZPass toll violators and that it implement aggressive collection efforts against those violators.

In its response, the Commission stated the following:

In September 2002, the Commission contracted with an independent firm to provide Motor Vehicle Registration Services to identify out-of-state violators. This service currently covers 42 states. In addition, the Office of Attorney General⁵³ is providing collection agency services to the Commission's Violations Processing Center to pursue violators who have not responded to the final violation notice.

Despite that response to our prior audit, it is clear from the current audit that much more can be done.

⁵³ The Pennsylvania Office of Attorney General contracts out collection services for Commonwealth agencies, including the Turnpike Commission. Prior to July 2004, information on unpaid toll violations was sent from TransCore to the Office of the Attorney General to the collection agencies. According to Commission officials, after July 2004, at the request of the Office of Attorney General, information on unpaid toll violations was sent directly from TransCore to the collection agencies.

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What are toll violators?

According to the Commission's Web site, E-ZPass toll violators are "PA Turnpike customers who pass through E-ZPass lanes without an E-ZPass transponder, or could be E-ZPass customers who do not have their E-ZPass transponder properly mounted or account information up to date."⁵⁴

In other words, an E-ZPass toll violator is a traveler who uses an E-ZPass lane to exit the turnpike without paying the toll.

Although a toll violator may be an E-ZPass holder—i.e., a customer who has set up a prepaid account to obtain an E-ZPass transponder—drivers *without* E-ZPass transponders can evade tolls as well. For example, drivers can use tollbooth lanes to enter the turnpike and get fare tickets, but they can exit the turnpike by using an E-ZPass lane to avoid paying at a tollbooth.

For the category of toll violators who *are* E-ZPass customers, the violation can occur for reasons that are unintentional. For example, it would be a "violation" if the E-ZPass equipment at the exit failed to read an E-ZPass customer's transponder, or if the customer's prepaid account balance had too little in it to cover the toll.

Whether or not the toll violator is an E-ZPass customer, or whether or not the violation is intentional, the Commission must first identify the violator in order to collect the toll. The identification process begins when vehicles exit the turnpike through E-ZPass lanes. At that time, cameras in the E-ZPass lanes capture a digital image of the license plate for every exiting vehicle. If the technology recognizes a valid transaction, the captured image is immediately discarded.

On the other hand, when the E-ZPass equipment does not detect a valid transponder for a particular vehicle, it cannot recognize or record a payment of the toll. The technology therefore cannot

⁵⁴ "About E-ZPass – Violations," Pennsylvania Turnpike Commission Web site at <http://www.paturndpike.com/ezpass/VES.htm>. Accessed March 8, 2007; re-verified March 25, 2008.

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recognize a valid transaction and, accordingly, stores the digital image of the vehicle's license plate. Subsequently, the Commission will need to learn to whom the vehicle is registered or—as the case may be—to whom the E-ZPass itself is registered.

The identification itself is made by TransCore, the E-ZPass provider, who attempts to match the numbers on the imaged license plate with information from an interagency database of E-ZPass customers.⁵⁵ If no match is found there, TransCore uses sources such as the Pennsylvania Department of Transportation and the New Jersey Department of Motor Vehicles databases, as well as the Law Enforcement System⁵⁶ database.

Once the vehicle has been identified, TransCore, on behalf of the Turnpike Commission, will impose a fee for the toll violation and notify the vehicle's registrant in writing to pay both the toll and the fee, or to appeal. Current law allows the imposition of an "administrative fee" of up to \$35 per notification,⁵⁷ but we found that the Turnpike Commission imposed only a \$25 administrative fee for the first notification and a \$5 fee for each subsequent notice, up to three such subsequent notices. If violators do not respond after the fourth notice and the tolls and fees remain uncollected, two collection agencies then attempt to contact the violators and collect the outstanding amounts on behalf of the Commission.

What were the problems?

We found several problems with the Turnpike Commission's performance in identifying E-ZPass lane violators and collecting the related tolls and fees.

⁵⁵ Created in 1990, the E-ZPass Interagency Group is an association of 23 toll agencies in 12, mostly northeastern, states. These states are Maine, New Hampshire, Massachusetts, New York, Pennsylvania, New Jersey, Delaware, Maryland, West Virginia, Virginia, Indiana, and Illinois.

⁵⁶ TransCore, the Commission's E-ZPass provider, subscribes to and utilizes the Law Enforcement System database to query the Departments of Motor Vehicles of 44 states.

⁵⁷ 74 Pa.C.S. § 8117(b)(8)(ii).

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Identifying the violators was a problem in itself. Collection of tolls from E-ZPass lane violators depends on whether or not the violator can be identified. We found various circumstances under which toll violators in E-ZPass lanes either were not or could not be identified.

- Toll violators could not be identified in cases where the recorded images were not readable or were otherwise unusable.
- Toll violators could not be identified in the cases for which license plate information could not be paired with information in the database. For example, there are six states that are not included in the Law Enforcement System database utilized by TransCore.

The Turnpike Commission estimated that, during the audit period, toll violators made up between one and two percent of all the travelers who used E-ZPass lanes. As the number of toll violations and the amount of turnpike traffic fluctuates from year to year, we advise the Commission to periodically recalculate this estimate. Additionally, because a percentage cannot, and in fact did not, adequately convey the scope or impact of toll violations, we also advise the Commission not to rely on a percentage to determine whether or not a toll violation problem exists.

Also of concern are those customers who did not pay their toll and who were not identified in the lanes where the Commission chose not to activate cameras to record customer license plates. In these lanes, the failure to pay a toll is considered a toll evasion, not a toll violation. As a result, these customers are not included in the Commission's estimate of toll violators and the lost revenues are not included in the amounts written-off for toll violations – even though there is no discernable difference in the behavior of a toll violator versus a toll evader.

Too much time was taken to notify violators. According to an E-ZPass toll violation flowchart provided by the Commission, approximately one month elapses between the time that an E-

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ZPass toll violation occurs and the time that TransCore notifies the violator. As many as three follow-up notices are sent when toll violators do not respond, with a time span of one month between each notice.

If the violator still does not comply with the notice by paying the fee, TransCore sends the case to the first of two collection agencies to try to recoup the unpaid toll and the administrative fees. However, by the time the collection agency is notified, a total of four months has passed since the violation originally occurred.

Regarding a response rate to the notices from TransCore, we found that, in calendar year 2005, 24 percent of toll violators paid after the first notice. However, that response rate dropped to four percent for the third notice and to eight percent for the fourth notice. Therefore, we believe the Commission should analyze whether it would recover more monies by dropping the third and fourth notices and, instead, letting the collection agencies take over when a toll violator fails to pay after the second notice.

Far too many dollars were written off. As stated at the beginning of this finding, the Turnpike Commission wrote off over \$2.6 million in fiscal year ended May 31, 2007, for uncollectible tolls and fees related to E-ZPass lane usage.

In the table on the following page, we list the amounts written off by the Commission for uncollectible E-ZPass tolls and related administrative fees for five fiscal years.

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Table 9 **Lost Revenue:
E-ZPass Tolls and Fees Written Off
by the Turnpike Commission**

Fiscal year	Actual Amount written off by Commission	Written-off amount applicable to year violation occurred	Our estimate of the number of violations
2006-07	\$2,661,035	\$1,097,244	20,703
2005-06	\$598,618	\$1,494,513	28,198
2004-05	\$587,555	\$1,097,484	20,707
2003-04	\$346,433	\$504,400	9,517
2002-03	\$19,427	\$19,427	367
Total	\$4,213,068	\$4,213,068	79,492

Important notes about the numbers above:

- a. The numbers reflect only those violations that are known; as stated previously, there is an entire population of violations that the Commission could not determine.
- b. The Commission was unable to break down the amounts written off into uncollected tolls versus uncollected administrative fees.
- c. The amount included for fiscal year ended May 31, 2003 is for a four-month period beginning February 2003.
- d. We calculated our estimated number of violations by taking the amount written off applicable to the year the violation occurred and dividing by an average of \$53, which represents our calculation of the average balance sent to the collection agency for each violation.

As noted in the above table, in each of the last three fiscal years, the Commission lost over one million dollars in revenue because of toll violations. Also as noted in the above table, except for the first year, the toll violations dollars written off in any given year and the dollars applicable to the year that the violation occurred is significantly different. This difference could be attributed to the lengthy time taken to notify toll violators and complete the collection process.

Current Pennsylvania laws pertaining to E-ZPass toll violations are inadequate. In addition to the problems

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discussed above, we also noted the Turnpike Commission is hindered in collecting toll violations by current Pennsylvania law, which does not provide sufficient deterrents for E-ZPass toll violations.

We found that other states allow more significant deterrents than those permitted in Pennsylvania:

- In **Massachusetts**, the state places a hold on its violators' licenses and/or vehicle registrations if violators do not pay their fines or respond to the notices. In addition, if the violator in Massachusetts is an out-of-state driver, he or she loses the privilege to drive in Massachusetts until the matter has been resolved.⁵⁸
- In **Florida**, violators receive three points against their driving record and a fine of \$103.50, and repeat toll evaders may lose their driving privileges.⁵⁹
- In **Delaware**, repeat violators who have accrued more than \$1,000 in toll violations can be prosecuted as felons for theft of services.⁶⁰
- In **California**, the state imposes an administrative fee of \$47.50 for each notice sent to drivers who commit toll violations on certain roadways. If a violator fails to pay the fee or respond to the notice, a second fee is imposed and a hold is placed on the violator's vehicle registration.⁶¹

⁵⁸ 730 Mass. Regs. Code § 7.04(g)(1).

⁵⁹ See Fla. Stat. §316.1001; Fla. Stat. §318.18(7); Fla. Stat. § 322.27(3). See also "FHP cracking down on Turnpike toll violators," October 26, 2006, <http://www.fhp.state.fl.us/misc/News/Related/2006/FHPnews110206q.htm>, accessed March 23, 2007; re-verified March 25, 2008. See also "Toll Violation Enforcement," <http://www.sunpass.com/violations.cfm>, accessed April 1, 2008.

⁶⁰ See Del. Criminal Code § 845. See also Delaware Department of Justice, Press Release: "Delaware Department of Justice Lends its Support to Habitual Toll Evader Crackdown," March 6, 2007, <http://attorneygeneral.delaware.gov/media/releases/2007/crackdown.pdf>, accessed March 26, 2008.

⁶¹ See Cal. Vehicle Code §4770; Cal. Vehicle Code §40250 *et seq*; See also "Common Questions – Toll Violations," <http://www.thetollroads.com/violation/nav.do?dest=faq>, accessed April 30, 2007; re-verified March 25, 2008.

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Regarding the rate of collection for E-ZPass lane toll violations, we found that the Commission chose not to impose the full administrative fee allowed by law for E-ZPass toll violations. Specifically, as discussed earlier in this finding, the law allows an administrative fee of up to \$35 per notification.⁶² Despite that allowable fee, the Commission imposed fees of \$25 for the first notification and only \$5 for each subsequent notice, up to three. As a result, the Turnpike Commission would have imposed fees totaling \$40 for all four notices during our audit period. However, if the Commission had instead imposed \$35 for each of the four notices as allowed, a total of \$140 would have been charged. That difference means that the Commission was giving up potential revenue of \$100 more for each violation.

E-ZPass toll violators have already cost the Turnpike Commission a minimum of \$2.6 million in uncollected tolls and fees for the fiscal year ended May 31, 2007. Unfortunately, some violators have no qualms about failing to pay tolls and fees if they think there is little chance of being caught. The lack of sufficient deterrents, plus the length of time it takes to notify the violators and send the information to collection agencies, have compromised the Turnpike Commission's ability to collect the monies owed to it.

Of equal importance is this: By not identifying and pursuing violators more aggressively, the Turnpike Commission has excused noncompliance with basic rules of toll-paying travel, an issue that the toll-paying public may find inequitable.

Solving this problem in Pennsylvania will require tough decisions and hard work on the part of the Commission. For example, the Florida turnpike, in response to revenue loss from toll evasion, instituted a "Toll Abuse, No Excuse" program that includes media campaigns, tougher police enforcement, and blue

⁶² See 74 Pa.C.S. § 8117(b)(8)(ii).

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lights that activate when violators exit.⁶³ In Pennsylvania, the Commission should consider the following remedies:

- Lobbying for legislation to allow more meaningful penalties.
- Lobbying for legislation so that, when Troop T officers pull over drivers for motor vehicle violations, the officers can access a database to determine if the vehicle's registration matches that of a vehicle involved in a toll violation and, if so, add the unpaid toll violation to the traffic citation.
- Exploring technology that sounds an alarm or otherwise alerts the public, toll-takers, and randomly or occasionally placed police patrols when a car exits through an E-ZPass lane without a valid transponder.
- Posting signs at toll plazas reminding customers that toll evasion is a violation of the law and informing them of the penalties for violating the law.

The true cost for E-ZPass toll violation also includes the fees paid to identify violators and to recover the tolls they owe.

Still more costs related to E-ZPass toll violations. The Commission's true cost for E-ZPass toll violations goes even higher than the indeterminable amount of tolls not collected by the Commission or than the amounts written off by the Commission. The true cost of E-ZPass toll violations also must include (1) the 19 percent fee the Commission pays to the first collection agency it assigns to pursue the collection of unpaid tolls, (2) the 29 percent fee the Commission pays to the second collection agency on those tolls that are eventually collected, and (3) even the fee of \$.90 to \$1.25 per violator that the Turnpike pays to TransCore to identify the violators in the first place. Add to those costs the time and resources expended by the Turnpike Commission in the entire process, and it is clear that the Turnpike must take all necessary steps to reduce the number of customers who exit the turnpike without paying the required tolls.

⁶³ "For tollbooth cheats, the jig is up," Larry Copeland, *USAToday*. April 1, 2007. http://www.usatoday.com/travel/news/2007-04-01-toll-scofflaws_n.htm. Accessed April 30, 2007; re-verified March 25, 2008.

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Before the implementation of E-ZPass, Pennsylvania Turnpike customers who did not pay tolls were subject to civil and criminal penalties. The Turnpike Commission should not allow the E-ZPass system to make it easier for some travelers to avoid paying the same fares that most other travelers pay. Finally, in the current environment where Pennsylvania's roads and bridges are in serious need of repair and funding for these repairs is uncertain, it is more essential than ever that the Commission ensure that all tolls due from all customers are collected.

Recommendations:

17. The Turnpike Commission should increase the administrative fee imposed on each notification sent for an E-ZPass toll violation to the statutory maximum of \$35.
18. The Turnpike Commission should lobby the General Assembly for legislation to allow the Commission to impose more meaningful penalties for E-ZPass toll violations, including the following:
 - Preventing toll violators from renewing their driver's licenses and/or vehicle registrations until any uncollected tolls and fees have been paid
 - Creating a database of toll violators that the State Police can access during a traffic stop, allowing troopers to identify toll violators and add unpaid toll violations to the traffic citation
 - Considering any other aggressive and innovative measures to decrease and/or apprehend toll violators
19. The Turnpike Commission should reduce the time between when a violation occurs and when the first notice is sent to the violator, and the time between when a violation occurs and when it is sent to the collection agency.
20. The Turnpike Commission should analyze whether it would achieve a better response rate by discontinuing the third and fourth notices and, instead, letting the collection

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agency take over after the second notice fails to bring a response.

21. The Turnpike Commission should capture a digital image of the license plate for every vehicle that exits the turnpike in an E-ZPass lane, including lanes used for both cash and E-ZPass customers, in order to identify toll violators.
22. The Turnpike Commission should aggressively pursue all options to obtain motor vehicle information from the states currently not included in the Law Enforcement System database used to identify E-ZPass toll violators.
23. The Turnpike Commission should post signs in all toll plaza lanes that remind customers that toll evasion is a violation of the law and inform them of the penalties for violating the law.

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**Introduction to
Follow-up on
Prior Audit
Findings**

An important component of the Department of the Auditor General's quadrennial audit of the Commission is our follow-up of the findings and recommendations contained in our prior audit report. When current test work shows that prior findings were resolved and/or recommendations were implemented, it illustrates both the capacity of the Commission to adapt and improve, as well as the value of the performance audit as mandated by the General Assembly. In this chapter, we report on those prior audit findings that were resolved.⁶⁴

Our discussion includes a summary of the prior findings, recommendations, and the Commission's response as contained in our audit report for the period July 1, 1997, to March 28, 2003. Also included is a discussion of the current audit test work and results.

To determine whether prior audit findings were resolved, we did the following:

- Reviewed our prior audit report and corresponding working papers
- Interviewed Commission employees
- Reviewed pertinent Commission policies and procedures
- Conducted Internet research
- Performed test work that included reviewing available Commission documents and records

The scope of our review and test work focused on the current audit period, January 1, 2003, to December 31, 2005, but also considered all corrective actions taken by the Commission through June 30, 2007.

⁶⁴ Findings from the prior audit report not discussed here include positive findings that did not contain recommendations and therefore needed no further consideration. Our follow-up on the two prior findings that have not been resolved is discussed in Finding Four beginning on page 40 and Finding Five beginning on page 48 of this report.

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Prior Audit Finding **Chapter One: Audit Finding One:**
The Commission contracted to implement the \$85 Million E-ZPass system without using competitive procurement methods.

Our prior audit disclosed that the Commission awarded the contract for the E-ZPass system to TransCore without seeking bids or presenting a Request for Proposal to prospective providers. To remedy this deficiency, we recommended that the Commission comply with the Commonwealth Procurement Code and follow competitive bidding procedures when awarding contracts.

In its response, the Commission stated the following:

The Commission has integrated the Act 57 [the Commonwealth Procurement Code] requirements into its Contracting Policies and Procedures Manual.

Status of this prior finding:

The Commission used competitive procurement methods to award the contracts in our sample.

During test work, we selected and reviewed the files of 8 of the 92 service contracts awarded by the Commission during the current audit period. The contract files reviewed for these 8 contracts contained sufficient documentation to demonstrate that the contracts were awarded by competitive procurement. No further test work was considered necessary.

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**Prior Audit
Finding**

Chapter One: Audit Finding Two:

The Commission did not adequately monitor the E-ZPass System.

E-ZPass is administered by TransCore. During our prior audit, we noted three deficiencies pertaining to the Commission's monitoring of TransCore and the E-ZPass system.

- The Commission did not ensure that TransCore's internal controls for E-ZPass were adequate.
- The Commission did not implement the recommendations contained in an external report on TransCore.
- The Commission did not ensure that all E-ZPass violators were identified and did not ensure that tolls were collected from those violators who were identified.

1) The Commission did not ensure that TransCore's internal controls for E-ZPass were adequate.

During our prior audit, we noted that the Commission's independent auditor identified internal control weaknesses at TransCore and recommended that TransCore obtain an external review. We concurred with the independent auditor's recommendation and included this recommendation in our prior report.

In its response to our recommendation the Commission stated:

The Commission also ensures that an independent review of the Customer Service and Violations Processing Center's control environment and operating procedures will be conducted.

Status of this prior finding:

The Commission obtained an external review of TransCore's internal controls and implemented the majority of the recommendations contained in the resultant report.

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Interviews with Commission management disclosed that the Commission's external auditor, Ernst & Young, identified seven internal control areas to be reviewed at TransCore and, in May 2005, the Commission hired Parente Randolph, LLC⁶⁵ to perform a review. A year later, the Commission hired Smart & Associates⁶⁶ to conduct a follow-up review.

Our review of the Parente Randolph report disclosed that 11 recommendations were made. Our review of the Smart & Associates report disclosed that the Commission implemented all but one of the 11 recommendations from the Parente Randolph report. The recommendation not implemented was to standardize the review of customer adjustments exceeding predetermined dollar amounts. Our review also disclosed that the Smart & Associates report included a new recommendation pertaining to the automatic generation of violator reports. An interview with Commission management disclosed that the Commission chose not to implement the recommendation on adjustments because of the Commission's "customer-friendly" policy and the recommendation about the generation of reports will be implemented in December 2007 as part of a software upgrade.

2) The Commission did not implement recommendations contained in an external report on TransCore.

During our prior audit, we also noted that an independent report authorized by the Commission contained recommendations that, if implemented, would correct deficiencies in the Commission's monitoring of TransCore. Accordingly, we recommended that the Commission implement the recommendations contained in the independent report.

⁶⁵ Parente Randolph is an accounting and consulting firm with offices in Pennsylvania, New Jersey, and Delaware. Its report to the Commission on TransCore's internal controls was issued in August 2005.

⁶⁶ Smart & Associates is part of the Smart Business and Advisory Group, LLC, headquartered in Devon, Pennsylvania. It conducted a follow-up to the Parente Randolph report and issued its report to the Commission in August 2006.

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In its response, the Commission stated:

The Commission is committed to implementing all the major recommendations made in the independent Audit Report to insure the financial and operational integrity of the E-ZPass system. Accordingly, the Commission has engaged the services of an independent firm to review and report on the status of the implementation of the Report's recommendations regarding the ETC [electronic toll collection] Information Technology Controls.

Status of this prior finding:

Our recommendation pertained to a November 2002 report by Zelenkofske Axelrod,⁶⁷ which contained 48 recommendations. Our review of this report and a follow-up report by the same firm disclosed the following:

The April 2005 follow-up report noted that 40 of the 48 recommendations in the 2002 report were implemented. Discussions with Commission management disclosed that, of the remaining eight recommendations, three were not applicable to TransCore's processes; two were implemented after the follow-up report was published, and the Commission chose not to implement three recommendations.

The three recommendations not implemented were revising the E-ZPass customer appeal process, designating one person responsible for overseeing changes in TransCore's computer system, and moving the data back-up location. Further discussion with Commission management disclosed that the decisions to not implement these recommendations were reasonable and not implementing the recommendations should not significantly impact the Commission's operations.

⁶⁷ Zelenkofske Axelrod LLC is a financial management and business consulting firm based in Pennsylvania. The firm conducted two reviews and issued two reports on the Commission's internal controls for TransCore.

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The April 2005 report also included 4 additional review areas and 11 new recommendations. Discussion with Commission management disclosed that of these 11 recommendations: 2 were not applicable to TransCore's processes; 6 were implemented after the report was published; 1 recommendation, regarding moving databases, is currently being implemented and the Commission chose not to implement 2 recommendations.

One of two recommendations not implemented was designating one person responsible for data extraction. Further discussion with Commission officials disclosed that this decision was reasonable and not implementing the recommendation should not significantly impact the Commission's operations.

The other recommendation that the Commission did not implement was for the Commission to "revisit the enabling legislation and review the feasibility of modification to the legislation to permit PTC [Pennsylvania Turnpike Commission] more enforcement powers to pursue collections from violators."⁶⁸ We agree with this recommendation and include it in our recommendations for our Finding Five on page 48 of this report.

3) The Commission did not ensure that all E-ZPass violators were identified and did not ensure that tolls were collected from those violators who were identified.

These deficiencies remain and we report on them in the current audit, Finding Five. (See page 48).

⁶⁸ Zelenkofske Axelrod report to Pennsylvania Turnpike Commission, April 7, 2005, p. 24.

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**Prior Audit
Finding**

Chapter Two: Audit Finding:

The Commission is not utilizing existing pool vehicles effectively, which resulted in employees receiving excessive mileage reimbursements.

Our prior audit disclosed that, in 2002, 14 employees who were assigned pool vehicles did not travel the required minimum 1,000 business miles a month. To remedy this deficiency, we recommended that the Commission enforce its Policy Number 34.⁶⁹

In its response, the Commission stated the following:

To the extent that operational and financial benefits are positive for the Commission, it complies with the policy for the assignment of vehicles.

Status of this prior finding:

The Commission monitors the usage of pool vehicles; however, it does not ensure that vehicle reports are complete and accurate.

In response to the deficiency noted in our prior finding, the Commission performed a break-even analysis and revised Policy Number 34, which governed the assignment and utilization of the Commission's pool vehicles.

The break-even analysis was finalized in June 2004. In this analysis, Commission employees calculated the break-even mileage, which is the point where the cost of purchasing and operating a pool car is equal to the cost of reimbursing an employee for mileage. The break-even analysis included all pertinent variables such as purchase price, vehicle residual value, and operating costs. As a result of this analysis, the Commission chose not to purchase additional pool vehicles, and to continue reimbursing mileage to those employees who use their personal

⁶⁹ Pennsylvania Turnpike Commission Policy Number 34 – “PTC Vehicle Policy.” Effective: August 24, 1999.

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vehicle for business. Our review disclosed that the Commission's decision to not purchase additional pool vehicles and to continue reimbursing employees, at this time, was reasonable.

The Commission's revision of Policy Number 34, under Policy Number 6.4 implemented on October 26, 2004, included one significant change, which was to discontinue assigning pool vehicles to the Commission's Construction Inspectors. Discussion with Commission management disclosed that this change was based on both financial and organizational issues, and was reasonable.

As a final step, we also tested for compliance with Policy Number 6.4. To determine compliance, we reviewed and compared the Permanent Vehicles 2005 and Executive Director Annual Review reports to ensure that each report contained complete and accurate information. Our review disclosed the following:

- The Permanent Vehicles report did not include three vehicles that were assigned to three individuals on a long-term basis.
- The Executive Director Annual Review did not contain the correct equipment number for 17 vehicles and did not contain the correct assignment category for 3 employees.

Additionally, two employees who were included on the Permanent Vehicle report were not included on the Executive Director Annual Vehicle Review. This raises the question as to whether these two employees submitted the required monthly mileage reports and whether these vehicle assignments were properly approved. Finally, we noted that vehicles assigned long-term to departments were not included on the Executive Director Annual Vehicle Review as required by Policy Number 6.4. These deficiencies occurred because Commission employees did not verify that all vehicle reports contained complete and accurate information.

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Recommendations:

To ensure that all Commission employees submit the required monthly mileage report and that all Commission vehicle reports are complete and accurate, we recommend that the Commission:

24. On a monthly basis, compare the list of employees required to submit a mileage report with the list of those who have submitted a report.
25. On a quarterly basis, compare the Commission vehicle reports to ensure each report is complete and accurate.
26. In the Executive Director Annual Review, include monthly mileage reports for pool vehicles assigned to departments on a long-term basis.
27. Create a vehicle database that contains all pertinent information on all Commission vehicles.

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**Prior Audit
Finding**

Chapter Four: Audit Finding:

The credit card system used by the Commission is inadequate to effectively monitor commercial vehicle usage.

Our prior audit disclosed that account statements sent to commercial credit card holders did not contain a detailed transaction history for the statement period. To remedy this deficiency, we recommended that the Commission develop an automated credit card system that can produce statements containing all transactions for the statement period.

The Commission did not provide a written response to this recommendation; however, management did state that it was in agreement with the conclusions.

Status of this prior finding:

The Commission is implementing an accounting system that will effectively monitor commercial vehicle usage.

Interviews with Commission personnel disclosed that a software update and a restriction on the usage of commercial credit cards have effectively resolved this issue.

The software, which became fully functional in January 2008, produces statements to commercial credit card holders that include all transactions for the statement period.

Additionally, on September 28, 2007, the Commission eliminated commercial credit card usage on all sections of the turnpike except the Mon-Fayette Expressway. Further test work was not considered necessary.

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*Response from the
Turnpike Commission*

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**Response from
the Turnpike
Commission**

The Pennsylvania Turnpike Commission's letter of response to this audit report is reproduced on the following pages. In its response, the Turnpike Commission has acknowledged each of the audit findings and has addressed each of the recommendations, either directly or indirectly.

The Department of the Auditor General thanks the Pennsylvania Turnpike Commission for its cooperation during this audit process.



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA TURNPIKE COMMISSION
HARRISBURG PA 17106-7676

JOSEPH G. BRIMMEIER
CHIEF EXECUTIVE OFFICER

June 6, 2008

The Honorable Jack Wagner
Auditor General
229 Finance Building
Harrisburg, PA 17120

Dear Auditor General Wagner:

The Commission is in receipt of the Auditor General Draft Report, "Compliance Audit of the Commonwealth of Pennsylvania, Pennsylvania Turnpike Commission (hereinafter referred to as the "Commission"), June 1, 2003 to December 31, 2005" and, after review of the same, offers the following response.

Finding One

The Draft Report states: *The Turnpike Commission prioritized safety but has not established a chain of command that culminates with a single safety director.*

The Report recommends: *The Turnpike Commission should appoint an executive-level safety director to account for coordinating all aspects of safety including analysis of accident statistics. It also recommends that the Turnpike Commission execute a written agreement with the State Police and insist that Troop T obtain at least two four-wheel drive vehicles assigned to each of the nine Troop T stations for use during hazardous weather conditions.*

The Commission agrees that there should be one central position responsible for acquiring and analyzing safety data. As a result of the Auditor General's finding, the Commission will review the administration of an overall safety program and consider your recommendation to appoint a safety director.

With regard to the Pennsylvania State Police (PSP) Troop T, the duties and responsibilities are defined by statute. We have entered into discussions with PSP regarding an interagency agreement to better define the services provided to the Commission. PSP is responsible for the purchase of vehicles used by its troopers. However, the Commission will advise PSP of your recommendation.

Finding Two

The Draft Report states: *The Turnpike Commission did not fully utilize available accident information.*

The Draft Report recommends: *The Turnpike Commission should perform routine, standardized, systematic and documented accident trend analysis on all statistics in its accident database and it should ensure that accident information is entered into its accident database timely. It also recommends that the Turnpike Commission ensure that its database includes information from all the categories included on the uniform accident report forms.*

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June 6, 2008
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The Commission routinely conducts accident trend analysis. The Commission is currently reviewing the Auditor General's recommendations that it include all categories from the PSP accident report in its accident trend analysis.

Although it is outside the audit period, please note that in January 2008, the PSP Troop T began sending all Turnpike Police Crash Reports electronically to PSP Headquarters and PennDOT Bureau of Highway Safety and Traffic Engineering. The paper reports that were input into the Commission's system no longer exist. Confidential crash data is now available using PennDOT's Crash Data Analysis Retrieval Tool. The Commission is working to establish web-based access to this information.

Finding Three

The Draft Report states: *Turnpike Commission did not perform consistently in its dissemination of roadway and traffic information.*

The Draft Report recommends: *The Turnpike Commission ensure that its Web site is organized in such a way that is more user-friendly and it should routinely review its Web site to ensure the accuracy and availability of listed links. The Turnpike Commission should monitor the highway advisory radio continuously for accuracy and clarity and utilize available technology to ensure that the highway advisory radio is operational the entire length of the turnpike, including in tunnels.*

The Commission's website provides customers with numerous links to transportation websites, including other state Department of Transportation sites, as well as regional travel advisories, weather and tourism links. Providing links such as those listed is simply an informational aid. We routinely check our website for outdated links by using an electronic tool to identify potential address inaccuracies or breaks.

The Commission has launched a Turnpike Roadway Information Program (TRIP) to expand the information disseminated to customers and the media. As a result of this program, Commission personnel have been able to reduce the time spent on informing media, and customers from 40-50 minutes per incident to approximately three to five minutes per incident.

Variable message signs are placed at strategic locations along the Turnpike. The variable message signs have proven to be a valuable tool to forewarn travelers of potential delays due to accidents, construction, activities, adverse weather conditions, and heavy traffic. When we are aware of a special event that may cause possible traffic congestion or anticipate the need to establish new traffic patterns, we will inform the traveler a few days in advance giving them enough time to plan an alternate route. We also operate a Highway Advisory Radio System with transmitting sites located at each interchange along the Turnpike system. This provides travelers with the latest, up-to-the-minute reports regarding delays, accidents, weather conditions, and other travel information. Currently, the Highway Advisory Radio System is being upgraded to a digital system allowing for almost instant dissemination of highway information.

The Commission also utilizes Travel Board® InfoCenters which are located at our 18 service plazas. Each board features a large illuminated map of the Turnpike system and provides travelers with directions, distance and driving times to various locations. The travel boards also provide customers with interchange and service plaza locations, safety information, lodging information, and are updated with road conditions throughout the system by showing "Road Alert" indicator lights identifying locations of travel advisories.

As a note of achievement, the Commission has received awards for our website. Most notably in March, 2008, the Technology Council of Central Pennsylvania awarded the Commission the "Best Application of

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Technology” award, and in October, 2007, the Commission was awarded the IBTTA Toll Excellence Award for Technology.

Finding Four

The Draft Report states: *The Turnpike Commission did not ensure that vehicles entering and exiting the turnpike at E-ZPass toll plazas traveled at safe speeds.*

The Draft Report recommends: *The Turnpike Commission take action to monitor and enforce the posted speed limits in all E-ZPass lanes at all Toll Plazas. Further, the Turnpike Commission should ensure that it provides the highest possible level of traveler and employee safety.*

We recognize that this was a finding from a prior audit report. The safety of our customers and employees is taken very seriously and is a priority for the Commission. As stated in our previous response, specific measures have been taken to protect our toll collectors, including safety training, installation of cross walks at all interchanges and safety gates on every island. Digital speed displays are located in E-ZPass lanes to serve as a reminder and warning to customers traveling too fast through the lane. In addition to these measures, the Commission will consider instituting a public awareness campaign advising customers of speed limits at toll plazas.

The Commission currently reviews speed monitoring reports for vehicles entering and exiting dedicated E-ZPass lanes. In the future, we will include vehicle speeds for vehicles entering and exiting at lanes that accept both cash and E-ZPass.

At the time of the last audit, most toll agencies did not have a speed enforcement program. Recently the FHWA studied this issue, and made recommendations that many agencies have adopted. This includes review of their business processes for the implementation of speed enforcement programs. As a result of the FHWA study and the Auditor General’s findings, the Commission intends to analyze our business processes and present a recommendation to the Commissioners for consideration and future action toward speed enforcement.

Finding Five

The Draft Report states: *The Turnpike Commission wrote off over \$2.6 million in 2006-07 by collecting only a portion of unpaid E-ZPass lane tolls and fees, some of which represented violations from previous years. Equally important, there were even more toll violators that the Commission could neither identify nor count, a problem that resulted in still more lost revenue.*

The Draft Report recommends:

The Turnpike Commission should lobby the General Assembly for legislation to allow the Commission to impose more meaningful penalties for E-ZPass toll violations, including the following:

- *Preventing toll violators from renewing their driver’s licenses and/or vehicle registrations until any uncollected tolls and fees have been paid.*

The Turnpike Commission should increase the administrative fee imposed on each notification sent for an E-ZPass toll violation to the statutory maximum of \$35 and reduce the time between when a violation occurs and when the first notice is sent to the violator, and the time between when a violation occurs and when it is sent to the collection agency. It should also capture a digital image of the license plate for every vehicle that

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exits the turnpike in an E-ZPass lane, including lanes used for both cash and E-ZPass customers. It should pursue all options to obtain motor vehicle information from states that are not included in the Law Enforcement System database. And, post signs in all toll plaza lanes reminding customers that toll evasion is a violation of the law and inform them of the penalties for violating the law.

The Commission is committed to the collection of all toll revenue due from customers. As you correctly state, current state law does not allow for the penalty suggested in your report. With the advent of Open Road Tolling in Pennsylvania, the need for additional penalties is crucial. The Commission has been actively lobbying members of the General Assembly to authorize the suggested and other penalties, and will continue to do so.

With regard to our current violation collection process, we will consider reducing by 50 percent the time between when a first violation notice is sent to a violator and when the violation is forwarded to a collection agency. We will continue to analyze our current business process to increase collection success and consider increasing the administrative fee to the statutory maximum.

Currently, there are seven states that do not provide motor vehicle information to the Law Enforcement System database. Four of these states have legislation prohibiting the release of motor vehicle registration information. The remaining three states have a lengthy manual process for identification of individuals that does not accommodate our statutory timeframe in which to notify violators.

With regard to capturing a digital image of the license plate for every vehicle that exits in a cash and E-ZPass lane, the Commission will consider the development of a software application to enhance our ability to identify potential violators.

Finally, it should be noted, that the Commission has signs posted at toll plazas advising customers of violation enforcement.

Prior Year Finding Status

The Draft Report states: *The Commission monitors the usage of pool vehicles; however, it does not ensure that vehicle reports are complete and accurate.*

The Draft Report recommends: *Monthly comparison of mileage reports submitted by employees to a list of those required to submit a report. It also recommends, monthly monitoring of mileage reports for pool vehicles assigned to departments on a long-term basis. And, verification that vehicle reports are complete and accurate. In addition, it recommends the creation of a database that contains all pertinent information on all Commission vehicles.*

The Commission will review our current business processes and create a vehicle database that contains all pertinent information regarding Commission vehicles. Monthly reviews will be conducted to ensure that employees required to submit mileage reports, submit them. We will also consider including in the Executive Director Annual Review monthly mileage reports for pool vehicles assigned to departments on a long-term basis.


The Commission's mission is to "operate and manage, in a fiscally responsible manner, a safe, reliable, and valued toll road system." We continually assess the "safety" component of this statement and the Turnpike's safety record consistently shows that the Turnpike's accident rate is significantly lower than comparable rates on other Pennsylvania highways as well as the average rate for all U.S. Highways.

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On behalf of the Commissioners and our staff, I would like to thank you for the professionalism that your staff demonstrated in conducting this audit.

If you have any questions regarding our response, please contact me.

Very truly yours,



Joseph G. Brimmeier
Chief Executive Officer

JGB/BSB/sjb

cc: Commissioners
G. Hatalowich

**A Compliance Audit of the
Pennsylvania Turnpike Commission**

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*Pennsylvania Department of the Auditor General
Jack Wagner, Auditor General
June 2008*

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