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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 875

Session of  
1981

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INTRODUCED BY BERSON AND RYAN, MARCH 17, 1981

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REFERRED TO COMMITTEE ON JUDICIARY, MARCH 17, 1981

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AN ACT

1 Amending the act of April 12, 1957 (P.L.61, No.34), entitled "An  
2 act authorizing and empowering the Delaware River Port  
3 Authority, a body corporate and politic, functioning under  
4 the legislation enacted by the Commonwealth of Pennsylvania  
5 and the State of New Jersey, and the express consent of the  
6 Congress of the United States, to appoint policemen; make  
7 rules and regulations for the prevention of disorder, the  
8 preservation of safety, and the conservation of traffic on  
9 such bridges and in such tunnels and approaches thereto as  
10 the commission does or may hereafter operate; to prevent the  
11 evasion of the payment of tolls; and providing a penalty for  
12 the violation of any such rules or regulations or for the  
13 evasion or the attempt to evade the payment of tolls,"  
14 authorizing the issuance of summons to persons charged with  
15 evading or attempting to evade the payment of tolls.

16 The General Assembly of the Commonwealth of Pennsylvania  
17 hereby enacts as follows:

18 Section 1. Section 1, act of April 12, 1957 (P.L.61, No.34),  
19 entitled "An act authorizing and empowering the Delaware River  
20 Port Authority, a body corporate and politic, functioning under  
21 the legislation enacted by the Commonwealth of Pennsylvania and  
22 the State of New Jersey, and the express consent of the Congress  
23 of the United States, to appoint policemen; make rules and  
24 regulations for the prevention of disorder, the preservation of

1 safety, and the conservation of traffic on such bridges and in  
2 such tunnels and approaches thereto as the commission does or  
3 may hereafter operate; to prevent the evasion of the payment of  
4 tolls; and providing a penalty for the violation of any such  
5 rules or regulations or for the evasion or the attempt to evade  
6 the payment of tolls," amended November 25, 1970 (P.L.735,  
7 No.238), is amended to read:

8       Section 1. The Delaware River Port Authority, a body  
9 corporate and politic, functioning under the legislation enacted  
10 by the Commonwealth of Pennsylvania and the State of New Jersey,  
11 and the express consent of the Congress of the United States,  
12 and its wholly-owned subsidiary corporations through which it is  
13 effectuating its authorized purposes, shall have the power and  
14 authority to appoint the number of policemen as is found  
15 necessary to keep in safety and preserve order upon the bridges  
16 and tunnels and approaches thereto, and upon the rapid transit  
17 systems, ferries, facilities and other property as the Delaware  
18 River Port Authority or such subsidiary corporations does or may  
19 hereafter own, lease or operate; to administer to such policemen  
20 an oath or affirmation faithfully to perform the duties of their  
21 respective positions or offices; and to provide for the payment  
22 of such policemen from the tolls, fares, charges and other  
23 revenue of the Delaware River Port Authority or such subsidiary  
24 corporations. The policemen so appointed shall have the power  
25 and authority to make arrests for any crimes, misdemeanors, and  
26 offenses committed under the laws of the State of New Jersey or  
27 the Commonwealth of Pennsylvania upon the bridges or within the  
28 tunnels or approaches thereto, on the rapid transit systems,  
29 ferries, facilities or other property, for disorder or breach of  
30 the peace, or for violations of any lawful regulation which may

1 be adopted by the Delaware River Port Authority, or such  
2 subsidiary corporations. The policemen shall be authorized and  
3 empowered to make arrests or issue summonses for evasion or  
4 attempts to evade the payment of tolls, fares or other charges  
5 which may be fixed or may have been fixed for the use of such  
6 bridge, tunnel, rapid transit system, or ferry, facility or  
7 other property.

8 To pass over any part of the bridges or through the tunnels  
9 and approaches thereto in any vehicle for which tolls are  
10 collectible, or for any person or vehicle to use the rapid  
11 transit systems or ferries or other facilities or property  
12 without passing through the toll gates or paying the necessary  
13 tolls, fares or charges constitutes an evasion and shall subject  
14 the person so evading or attempting to evade the payment of  
15 tolls, fares or charges to arrest or receipt of a summons. Any  
16 such summons shall direct such person to appear before any  
17 proper judicial officer at such time as the summons shall  
18 direct. Upon the return of such summons or upon the apprehension  
19 or arrest of any person or persons for any of the other  
20 foregoing reasons, the offender may be taken before any proper  
21 judicial officer of the Commonwealth of Pennsylvania or of the  
22 State of New Jersey without respect to the portion of the  
23 bridge, tunnel, ferry facility, rapid transit system, facilities  
24 or other property upon or within which such offense may have  
25 been committed or attempted or such offender arrested, and  
26 thereupon such judicial officer shall have power and authority  
27 to punish the offender as hereinafter provided. The Delaware  
28 River Port Authority, and its wholly-owned subsidiary  
29 corporations through which it is effectuating its authorized  
30 purposes shall have the power to adopt such rules and

1 regulations as they may respectively deem expedient for the  
2 proper government of the bridges, tunnels, approaches thereto,  
3 rapid transit systems, ferries, facilities or other property and  
4 for the preservation of good order, safe traffic, and proper  
5 conduct thereon or therein.

6 Any person violating any of the provisions of this act, or of  
7 any rule or regulation adopted by the Delaware River Port  
8 Authority, or its said subsidiary corporations, or who evades or  
9 attempts to evade payment of tolls, fares or charges shall, upon  
10 summary conviction before a proper judicial officer of this  
11 Commonwealth, or of a proper judicial officer of the State of  
12 New Jersey, be sentenced to pay a fine of not less than ten  
13 dollars (\$10), nor more than twenty-five dollars (\$25), and  
14 costs of prosecution, and in default of the payment thereof,  
15 shall undergo imprisonment for not less than ten days nor more  
16 than thirty days, and upon conviction of any subsequent offense,  
17 shall be sentenced to pay a fine of not less than twenty-five  
18 dollars (\$25), nor more than fifty dollars (\$50), and costs of  
19 prosecution, or to undergo imprisonment for not less than thirty  
20 days nor more than sixty days.

21 Section 2. This act shall take effect immediately.