

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2216 Session of
1984

INTRODUCED BY SALVATORE, MORRIS, J. L. WRIGHT, KOSINSKI, CLYMER,
PERZEL, McVERRY, TELEK AND WESTON, MAY 30, 1984

REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 30, 1984

AN ACT

1 Amending the act of April 4, 1984 (No.40), entitled "An act
2 requiring certain public agencies in the Commonwealth of
3 Pennsylvania to purchase or lease motor vehicles which are
4 manufactured or assembled in the United States and imposing a
5 penalty," clarifying the definition of "public agency";
6 adding the definition of "mass transit vehicle"; clarifying
7 the coverage of the act as to mass transit vehicles; and
8 increasing the required amount of domestic parts for foreign-
9 manufactured vehicles.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. The definition of "public agency" in section 2 of
13 the act of April 4, 1984 (No.40), known as the Motor Vehicle
14 Procurement Act, is amended and a definition is added to read:

15 Section 2. Definitions.

16 The following words and phrases when used in this act shall
17 have the meanings given to them in this section unless the
18 context clearly indicates otherwise:

19 "Mass transit vehicle." A self-propelled or electrically-
20 propelled vehicle designed for carrying 15 or more passengers,
21 designed and used for the transportation of persons for

1 compensation. The term includes subway cars, trolleys, trackless
2 trolleys, commuter railroad passenger cars, light-rail vehicles,
3 elevated train cars, buses and school buses. The term excludes
4 taxicabs.

5 * * *

6 "Public agency."

7 (1) The Commonwealth and its departments, boards,
8 commissions and agencies.

9 (2) Counties, cities, boroughs, townships, school
10 districts and any other governmental unit or district.

11 (3) The State Public School Building Authority, the
12 State Highway and Bridge Authority and any other authority
13 now in existence or hereafter created or organized by the
14 Commonwealth.

15 (4) The municipal or school or other authorities now in
16 existence or hereafter created or organized by any county,
17 city, borough, township or school district or combination
18 thereof.

19 (5) Any and all other public bodies, authorities,
20 offices, agencies and instrumentalities exercising a
21 governmental or proprietary function.

22 (6) Transportation authorities created under any of the
23 following statutory provisions:

24 (i) Section 3 of the act of April 6, 1956 (1955
25 P.L.1414, No.465), known as the Second Class County Port
26 Authority Act.

27 (ii) Section 303 of the act of January 22, 1968
28 (P.L.42, No.8), known as the Pennsylvania Urban Mass
29 Transportation Law.

30 (iii) Section 3 of the act of December 6, 1972

1 (P.L.1392, No.298), known as the Third Class City Port
2 Authority Act.

3 * * *

4 Section 2. Section 5 of the act is amended to read:

5 Section 5. Contract provisions.

6 (a) Motor vehicles to be manufactured or assembled in the
7 United States.--A public agency shall purchase, lease or rent
8 only motor vehicles and mass transit vehicles which are
9 manufactured or assembled in the United States. In the case of
10 motor vehicles which are assembled but not manufactured in the
11 United States, a public agency shall not purchase, lease or rent
12 any such motor vehicle unless a majority of the parts, as set
13 forth at 40 CFR 600.511-80, used in assembling such motor
14 vehicles are manufactured in the United States. In the case of
15 mass transit vehicles which are assembled but not manufactured
16 in the United States, a public agency shall not purchase, lease
17 or rent any such motor vehicle unless 75% of the parts, as set
18 forth at 49 CFR 660.22, used in assembling such mass transit
19 vehicle are manufactured in the United States. Contract
20 documents for the purchase, lease or rental of motor vehicles
21 shall contain a provision that the vehicles or mass transit
22 vehicles purchased, leased or rented by the public agency shall
23 be manufactured or assembled in the United States.

24 (b) Exception.--This section shall not apply where the head
25 of the public agency shall state in writing that it is
26 inconsistent with the public interest, or that the cost is
27 unreasonable.

28 Section 3. This act shall take effect in 60 days.