

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1913 Session of
1989

INTRODUCED BY DOMBROWSKI, CAPPABIANCA, SCRIMENTI, BORTNER,
LASHINGER, FREIND, SAURMAN, GODSHALL, CORNELL, NAHILL,
HAGARTY, REBER, FOX, CHADWICK, BUNT, J. H. CLARK, GLADECK,
FOSTER, FEE AND PETRARCA, SEPTEMBER 27, 1989

REFERRED TO COMMITTEE ON TRANSPORTATION, SEPTEMBER 27, 1989

AN ACT

1 Amending the act of January 22, 1968 (P.L.42, No.8), entitled,
2 as amended, "An act empowering and authorizing the Department
3 of Transportation to establish and administer certain grant
4 programs for the betterment of mass transportation systems
5 and facilities throughout the Commonwealth; providing for
6 State grants to transportation companies, municipalities,
7 counties, or their instrumentalities and to agencies and
8 instrumentalities of the Commonwealth for studies, research,
9 demonstration programs, promotion programs, purchase of
10 service projects, and capital improvement projects under
11 certain conditions; authorizing grants by counties or
12 municipalities in metropolitan areas to local transportation
13 organizations, authorizing the creation of a transportation
14 authority to function in each metropolitan area consisting of
15 any county of the first class and all nearby counties within
16 a radius of twenty miles of any such first class county, as a
17 body corporate and politic for the purpose of establishing an
18 integrated mass transportation system with all pertinent
19 powers including, but not limited to, leasing, acquiring,
20 owning, operating and maintaining a system for, or otherwise
21 providing for, the transportation of persons, authorizing the
22 borrowing of money and issuance of bonds therefor, conferring
23 the right of eminent domain on the authority; altering the
24 jurisdiction of the Public Utility Commission, authorizing
25 the acceptance of grants from Federal, State and local
26 governments, limiting actions against the authority and
27 exempting it from taxation, authorizing counties and
28 municipalities to enter into compacts for the financing of
29 each authority and to make appropriations in accordance with
30 such compacts, creating a citizen advisory committee,
31 conferring exclusive jurisdiction upon certain courts with
32 respect to matters relating to such authority, empowering

1 each authority to function outside of the metropolitan area
2 under certain terms and conditions," further providing for
3 the amounts and utilization of demand response entitlement
4 grants.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 406(c) of the act of January 22, 1968
8 (P.L.42, No.8), known as the Pennsylvania Urban Mass
9 Transportation Law, amended May 1, 1984 (P.L.226, No.49), is
10 amended to read:

11 Section 406. Demand Response Entitlement Grants.--* * *

12 (c) Upon the termination of the fiscal year 1981-1982, no
13 further grants shall be made directly to the counties under this
14 paragraph: Provided, however, That no county receiving a fiscal
15 year grant under this paragraph shall forfeit such grant or be
16 denied subsequent fiscal year grants solely on the basis that
17 the county has failed within either the fiscal year 1980-1981 or
18 1981-1982 to fully and completely implement its transit system
19 for the elderly, it being the intent of the General Assembly to
20 provide each county five years from the effective date of this
21 act in which to phase in and make operational some type of
22 transit system for the elderly. In the event that any county
23 fails within such five years to provide some type of an
24 operational transit system for the elderly, any unspent and
25 unencumbered grant moneys made to the counties for the fiscal
26 years 1980-1981 or 1981-1982 shall be returned through the
27 Department of Transportation for deposit in the State Lottery
28 Fund for use in the grant program provided in section 203(5) or
29 for other senior citizens programs. For the 1984-1985 fiscal
30 year and every year thereafter, all counties except counties of
31 the first and second class shall be entitled to grants from the

1 State Lottery Fund for the purpose of adding, replacing and/or
2 upgrading capital equipment, and purchasing new or exiting
3 facilities and for renovations to serve as office and
4 maintenance facilities for the provision of rural and for
5 reduced fare demand response service. The amount entitled to all
6 counties and to be granted by the department shall [not exceed
7 \$2,300,000] be fifteen percent of Statewide section 203 funding.
8 The amount entitled to any county for adding, replacing or
9 upgrading equipment shall not be more than [\$150,000] \$200,000
10 for each fiscal year. [The department may require the counties
11 to coordinate the acquisition of equipment through a Statewide
12 purchase program should the department find such a program to be
13 cost-efficient.] Equipment that may be purchased shall include
14 vehicles, vehicle refurbishing and major drivetrain components,
15 communication equipment, computer equipment and software, office
16 equipment and furnishings, and garage and maintenance equipment.
17 The amount allocated to a county for the purchase or renovation
18 of a facility shall not exceed \$350,000 and the total amount
19 allocated Statewide for this purpose may not exceed \$1,000,000
20 for each fiscal year. Funds may be used for paying off existing
21 mortgages so long as no county receives in excess of \$350,000.
22 All purchases shall be made in accordance with bidding
23 procedures established under the act of August 9, 1955 (P.L.323,
24 No.130), known as "The County Code," or the act of May 2, 1945
25 (P.L.382, No.164), known as the "Municipality Authorities Act of
26 1945." The department will provide technical assistance to
27 counties in the development of bid specifications.

28 Section 2. This act shall take effect July 1, 1989, or
29 immediately, whichever is later.