

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1294 Session of
1995

INTRODUCED BY NICKOL, LYNCH, STISH, FLEAGLE, COLAIZZO, TIGUE,
BELARDI, WAUGH, FARGO, BUNT, SAYLOR, BELFANTI, TRELLO, HESS,
MERRY, EGOLF, HENNESSEY, YOUNGBLOOD, ARMSTRONG, E. Z. TAYLOR,
FEESE, HALUSKA, PLATTS, MAITLAND, KENNEY, RAYMOND, MILLER,
SHANER AND ITKIN, MARCH 22, 1995

SENATOR CORMAN, TRANSPORTATION, IN SENATE, AS AMENDED,
OCTOBER 2, 1996

AN ACT

1 Amending the act of June 1, 1956 (1955 P.L.1944, No.655),
2 entitled "An act providing a permanent allocation of a part
3 of the fuels and liquids fuels tax proceeds to cities,
4 boroughs, incorporated towns and townships, for their road,
5 street and bridge purposes; conferring powers and imposing
6 duties on local officers and the Department of Highways; and
7 making an appropriation out of the Motor License Fund; and
8 repealing existing legislation," further providing for the
9 maintenance of alleys AND FOR THE DEFINITION OF "ROADS AND
10 STREETS." <—

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

13 ~~Section 1. Section 4(1) of the act of June 1, 1956 (1955~~ <—
14 ~~P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal~~
15 ~~Allocation Law, amended May 27, 1994 (P.L.260, No.42), is~~

16 SECTION 1. SECTION 2 OF THE ACT OF JUNE 1, 1956 (1955 <—
17 P.L.1944, NO.655), REFERRED TO AS THE LIQUID FUELS TAX MUNICIPAL
18 ALLOCATION LAW, AMENDED AUGUST 13, 1963 (P.L.804, NO.398), IS
19 AMENDED TO READ:

1 SECTION 2. AS USED IN THIS ACT--

2 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF HIGHWAYS.

3 (2) "MUNICIPALITY" MEANS ANY CITY, BOROUGH, INCORPORATED
4 TOWN OR TOWNSHIP.

5 (3) "ROADS AND STREETS" MEANS PUBLIC ROADS AND STREETS,
6 INCLUDING BRIDGES, USED FOR TRAVEL BY HORSE DRAWN AND MOTOR
7 VEHICLES AND DOES NOT INCLUDE [WAYS, COURTS AND] ALLEYS.

8 SECTION 2. SECTION 4(1) OF THE ACT, AMENDED MAY 27, 1994
9 (P.L.260, NO.42), IS amended to read:

10 Section 4. The money hereby appropriated to municipalities
11 shall be paid to the municipalities in accordance with the
12 following formula and subject to the provisions of this act:

13 (1) The money hereby allocated shall be paid to the cities,
14 boroughs, towns and townships in accordance with the following
15 formula:

16 Five-tenths of this		The number of miles
17 allocation divided	Multiplied	in the particular
18 by the total miles	By	municipality.

19 of public roads and
20 streets which are
21 maintained by
22 municipalities.

23	Plus	
24 Five-tenths of this		The official
25 allocation divided	Multiplied	population of the
26 by the total official	By	particular
27 population of the		municipality as of
28 municipalities as of		January first of said
29 January first of the		year.

30 year in which the

1 money is to be paid
2 to the municipalities.

3
4 (Amount due the
5 particular municipality)

6 To be expended by the authorities of the respective
7 municipalities (i) for the maintenance, repair, construction or
8 reconstruction of such public roads or streets, including
9 bridges, culverts and drainage structures for which they are
10 legally responsible and including the lining of streams
11 incidental to the drainage of highways, and for the maintenance,
12 repair, construction or reconstruction of curb ramps from a
13 road, street or highway to provide for access by individuals
14 with disabilities consistent with Federal and State law; [and]
15 (ii) for the acquisition, maintenance, repair and operation of
16 street signs, traffic signs and traffic signal control systems[.
17 Where road or bridge]; and (iii) for the maintenance, repair,
18 construction or reconstruction of alleys adopted on or before
19 May 30, 1956, for which they are legally responsible. Where
20 road, bridge or alley work is performed by the political
21 subdivision the moneys herein allocated may be used only for
22 labor, hiring of equipment, payrolls, purchase of material,
23 including repair parts necessary for the maintenance of
24 equipment, small tools, road drags and snow fences and, in
25 addition, an amount not to exceed twenty per centum of the total
26 annual allocation received by each municipality, may be used for
27 the purchase of road machinery and road equipment.

28 No municipality shall receive less than the amount allocated
29 to such municipality during the fiscal year ending June 30,
30 1969. So much as is necessary of the taxes collected on each

1 gallon of liquid fuel under "The Liquid Fuel Tax Act" and on
2 each gallon of fuel under the "Fuel Use Tax Act" is hereby
3 appropriated out of the Motor License Fund to municipalities of
4 the Commonwealth for the purpose of making any additional
5 payments required under the provisions hereof. Funds hereby
6 appropriated shall be in addition to funds appropriated under
7 the provisions of section 3 of this act.

8 * * *

9 Section ~~2~~ 3. This act shall take effect in 60 days.

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