

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 2402** Session of  
1978

INTRODUCED BY GREENLEAF, APRIL 18, 1978

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 18, 1978

AN ACT

1 Abolishing the Pennsylvania Turnpike Commission and transferring  
2 the powers and duties of the Pennsylvania Turnpike Commission  
3 to the Pennsylvania Department of Transportation.

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

6 Section 1. Definitions.

7 The following words and phrases when used in this act shall  
8 have, unless the context clearly indicates otherwise, the  
9 meanings given to them in this section:

10 "Commission." The Pennsylvania Turnpike Commission,  
11 established pursuant to section 3 of the act of May 21, 1937  
12 (P.L.774, No.211), referred to as the Pennsylvania Turnpike  
13 Commission Act.

14 "Department." The Pennsylvania Department of Transportation.

15 "Secretary." The Secretary of the Department of  
16 Transportation.

17 "Turnpike." Any highway or series of highways described as a  
18 turnpike in:

19 (1) section 3 of the act of May 21, 1937 (P.L.774,

No.211), referred to as the Pennsylvania Turnpike Commission Act;

(2) section 4 of the act of May 16, 1940 (1941 Sp.Sess. P.L.949, No.11), known as the "Pennsylvania Turnpike Philadelphia Extension Act";

(3) section 4 of the act of June 11, 1941 (P.L.101, No.53), known as the "Western Pennsylvania Turnpike Extension Act";

(4) section 4 of the act of May 23, 1951 (P.L.335, No.74), known as the "Pennsylvania Turnpike Delaware River Extension Act";

(5) section 4 of the act of September 27, 1951 (P.L.1430, No.348), known as the "Pennsylvania Turnpike Northeastern Extension Act";

(6) section 4 of the act of January 14, 1952 (1951, P.L.1947, No.547), known as the "Pennsylvania Turnpike Gettysburg Extension Act";

(7) section 4 of the act of July 28, 1953 (P.L.706, No.229), known as the "Pennsylvania Turnpike Northwestern Extension Act";

(8) section 4 of the act of June 10, 1955 (P.L.157, No.50), known as the "Pennsylvania Turnpike Keystone Shortway Act";

(9) section 4 of the act of June 14, 1955 (P.L.174, No.52); known as the "Pennsylvania Turnpike Southwestern Extension Act"; and

(10) section 4 of the act of May 15, 1956 (P.L.1589, No.534), known as the "Pennsylvania Turnpike Philadelphia Loop Extension Act."

Section 2. Commission abolished.

1       The Pennsylvania Turnpike Commission, created, organized and  
2       operated pursuant to the act of May 21, 1937 (P.L.774, No.211),  
3       referred to as the Pennsylvania Turnpike Commission Act, is  
4       hereby abolished.

5       Section 3.   Transfer of Power.

6       (a)   All the power, duty, authority, responsibility and  
7       obligation of the commission for the administration, operation,  
8       and maintenance of the turnpike and all the employees,  
9       facilities, equipment, records, moneys and obligations of the  
10      commission are hereby transferred to the department.

11      (b)   The department shall exercise all the powers, duties and  
12      responsibilities mentioned in the following acts:

13      Act of June 12, 1931 (P.L.575, No.200), entitled, "An act  
14      providing for joint action by Pennsylvania and New Jersey in the  
15      development of the ports on the lower Delaware River, and the  
16      improvement of the facilities for transportation across the  
17      river; authorizing the Governor, for these purposes, to enter  
18      into an agreement with New Jersey; creating The Delaware River  
19      Joint Commission and specifying the powers and duties thereof,  
20      including the power to finance projects by the issuance of  
21      revenue bonds; transferring to the new commission all the powers  
22      of the Delaware River Bridge Joint Commission; and making an  
23      appropriation."

24      Act of June 25, 1931 (P.L.1352, No.332), entitled, "An act  
25      providing for joint action by the Commonwealth of Pennsylvania  
26      and the State of New Jersey in the administration, operation,  
27      and maintenance of bridges over the Delaware River, and for the  
28      construction of additional bridge facilities across said river;  
29      authorizing the Governor, for these purposes, to enter into an  
30      agreement with the State of New Jersey; creating a Delaware

1 River Joint Toll Bridge Commission and specifying the powers and  
2 duties thereof, including the power to finance the construction  
3 of additional bridges by the issuance of revenue bonds to be  
4 redeemed from revenues derived from tolls collected at such  
5 bridges; transferring to said commission all powers now  
6 exercised by existing commission created to acquire toll bridges  
7 over the Delaware River; and making an appropriation."

8 Act of June 1, 1945 (P.L.1242, No.428), known as the "State  
9 Highway Law."

10 Act of June 30, 1951 (P.L.956, No.191), entitled, "An act  
11 authorizing the Governor, on behalf of the Commonwealth of  
12 Pennsylvania, to enter into a compact or agreement with the  
13 State of New Jersey authorizing the Pennsylvania Turnpike  
14 Commission and the New Jersey Turnpike Authority to select a  
15 location for a bridge across the Delaware River and, acting  
16 alone or in conjunction with each other, to construct, finance,  
17 operate and maintain such bridge, including the power to fix and  
18 collect tolls, and authorizing the Governor to apply, on behalf  
19 of the Commonwealth of Pennsylvania, to the Congress of the  
20 United States for its consent thereto."

21 Act of January 18, 1952 (P.L.2159, No.615), referred to as  
22 the Pennsylvania Public Safety Commission Act.

23 Act of April 6, 1956 (P.L.1414, No.465), known as the "Second  
24 Class County Port Authority Act."

25 Act of May 17, 1957 (P.L.160, No.73), entitled, "An act  
26 requiring all tunnels on the Pennsylvania Turnpike to be painted  
27 white or lined with a light colored material and be equipped  
28 with continuous lighting."

29 Act of May 17, 1957 (P.L.160, No.74), entitled, "An act  
30 requiring the erection and maintenance of medial barriers or

1 guards on the Pennsylvania Turnpike between the Donegal and  
2 Bedford interchanges."

3 Act of April 29, 1959 (P.L.58, No.32), known as, "The Vehicle  
4 Code."

5 Act of September 8, 1959 (P.L.828, No.322), entitled, "An act  
6 authorizing the Pennsylvania Turnpike Commission to construct  
7 tunnels or additional lanes on the turnpike between the Irwin  
8 and Middlesex interchanges."

9 Act of September 15, 1961 (P.L.1305, No.573), entitled, "An  
10 act requiring the erection and maintenance of medial barriers or  
11 guards on the Pennsylvania Turnpike."

12 Title 75 (Vehicles) of the act of November 25, 1970 (P.L.707,  
13 No.230), known as the Pennsylvania Consolidated Statutes.

14 Act of December 6, 1972 (P.L.1392, No.298), known as the  
15 "Third Class City Port Authority Act."

16 Section 4. Powers and duties of the department.

17 The department shall have the power and its duty shall be to:

18 (1) establish with the State Treasurer such separate  
19 funds as may be necessary to segregate the funds and moneys  
20 collected from the operation of the turnpike and to allocate  
21 these funds and moneys for the payment of outstanding  
22 obligations, salaries of employees and the administration,  
23 operation and maintenance of the turnpike;

24 (2) adopt and promulgate such rules and regulations as  
25 may be necessary for the administration, operation and  
26 maintenance of the turnpike; and

27 (3) take such actions as may be necessary to implement  
28 the provisions of this act.

29 Section 5. Repeals.

30 (a) The following acts are repealed insofar as they are

1 inconsistent with this act:

2 Act of May 21, 1937 (P.L.774, No.211), referred to as the  
3 Pennsylvania Turnpike Commission Act.

4 Act of May 16, 1940 (1941 Sp.Sess. P.L.949, No.11), known as  
5 the "Pennsylvania Turnpike Philadelphia Extension Act."

6 Act of June 11, 1941 (P.L.101, No.53), known as the "Western  
7 Pennsylvania Turnpike Extension Act."

8 Act of July 16, 1941 (P.L.386, No.149), entitled, as amended,  
9 "An act providing for the establishment, construction, operation  
10 and maintenance of a mountain ridge road or parkway in the  
11 Pocono Mountains through, bordering or accessible to the  
12 counties of Monroe, Northampton, Carbon, Luzerne, Lackawanna,  
13 Wayne and Pike, to be known as the "Pocono Mountain Memorial  
14 Parkway"; providing for the creation of the Pennsylvania Parkway  
15 Commission, and conferring powers, and imposing duties on said  
16 commission; authorizing the issuance of parkway revenue bonds of  
17 the Commonwealth, payable solely from tolls, to pay the cost of  
18 such parkway; providing that no debt of the Commonwealth shall  
19 be incurred in the exercise of any of the powers granted by this  
20 act; providing for the collection of tolls for the payment of  
21 such bonds and for the cost of maintenance, operation and repair  
22 of the parkway; making such bonds exempt from taxation;  
23 constituting such bonds legal investments in certain instances;  
24 prescribing conditions upon which such parkway shall become  
25 free; providing for condemnation; granting certain powers and  
26 authority to municipal subdivisions and other agencies of the  
27 Commonwealth to cooperate with the commission; conferring powers  
28 and imposing duties on the Department of Highways and  
29 authorizing the issuance of parkway revenue refunding bonds."

30 Act of June 21, 1947 (P.L.877, No.367), entitled "An act to

1 authorize and empower the Pennsylvania Turnpike Commission to  
2 combine the Turnpike, the Eastern Extension, and the Western  
3 Extension, or any two thereof, for financing purposes under the  
4 provisions of this act; authorizing the issuance of Turnpike  
5 revenue bonds of the Commonwealth payable solely from tolls; to  
6 pay the cost of the Eastern Extension and the Western Extension;  
7 paying the cost of the Eastern Extension, or the cost of the  
8 Western Extension, or the cost of both; and refunding any  
9 Turnpike revenue bonds or Turnpike refunding bonds which have  
10 heretofore been issued by the Commission under the provisions of  
11 any act heretofore approved, or under the provisions of this  
12 act, and which shall then be outstanding, including the payment  
13 of any redemption premiums thereon; refunding any revenue bonds  
14 or revenue refunding bonds heretofore issued under the  
15 provisions of this act, including the payment of and redemption  
16 premiums thereon; authorizing the Commission to fix tolls from  
17 time to time for use of the projects so combined; providing for  
18 the use of a facsimile of the signature of the Governor, and of  
19 the Chairman of the Commission in lieu of their manual  
20 signatures, and a facsimile of the official seal of the  
21 Commission upon any bonds issued under the provisions of this  
22 act, or any other act; authorizing the issuance of bonds for the  
23 payment of the construction of any turnpike, and giving certain  
24 definitions."

25 Act of May 23, 1951 (P.L.335, No.74), known as "Pennsylvania  
26 Turnpike Delaware River Extension Act."

27 Act of August 14, 1951 (P.L.1232, No.282), entitled "An act  
28 authorizing and empowering the Pennsylvania Turnpike Commission  
29 to combine the turnpike and its extensions now constructed and  
30 to be constructed or parts thereof, for financing purposes under

1 the provisions of this act; authorizing the issuance of turnpike  
2 revenue bonds of the Commonwealth, notes or other obligations,  
3 to pay the costs of such combined turnpike and its extensions;  
4 authorizing the commission to refund any bonds, notes or other  
5 obligations theretofore issued by the commission under the  
6 provisions of any act, including the payment of any redemption  
7 premium thereon, notwithstanding any limitations or restrictions  
8 as to time of refunding or rate of interest contained in any act  
9 heretofore approved, whether or not any of the projects in  
10 respect of which such securities being refunded were issued are  
11 combined; authorizing the commission to fix tolls from time to  
12 time for the use of the projects so combined; authorizing the  
13 commission to construct and finance as a whole or in sections;  
14 providing for preliminary or interim financing through the  
15 issuance of notes or other obligations, constituting the same  
16 legal investments in certain instances, and exempting the same  
17 from taxation; providing for bonds to be given by each appointed  
18 member of the commission and the secretary and treasurer  
19 thereof, conditioned upon the faithful performance of the duties  
20 of his office in the administration of the Pennsylvania Turnpike  
21 System; and providing for salaries for the appointed members of  
22 the commission in lieu of the salaries heretofore authorized by  
23 law."

24 Act of September 27, 1951 (P.L.1430, No.348), known as the  
25 "Pennsylvania Turnpike Northeastern Extension Act."

26 Act of January 14, 1952 (P.L.1947, No.547), known as the  
27 "Pennsylvania Turnpike Gettysburg Extension Act."

28 Act of July 28, 1953 (P.L.706, No.229), known as the  
29 "Pennsylvania Turnpike Northwestern Extension Act."

30 Act of June 10, 1955 (P.L.157, No.50), known as the



1 "Pennsylvania Turnpike Keystone Shortway Act."

2 Act of June 14, 1955 (P.L.174, No.52), known as the

3 "Pennsylvania Turnpike Southwestern Extension Act."

4 Act of May 15, 1956 (P.L.1589, No.534), known as the

5 "Pennsylvania Turnpike Philadelphia Loop Extension Act."

6 (b) The following act is repealed insofar as it relates to  
7 the chairman and members of the Pennsylvania Turnpike  
8 Commission.

9 Act of September 2, 1961 (P.L.1177, No.525), entitled "An act  
10 fixing the salaries and compensation of members of certain  
11 boards and commissions, and repealing inconsistent acts."

12 Section 6. Effective date.

13 This act shall take effect in 60 days.