

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 1099** Session of  
1979

INTRODUCED BY GOEBEL, APRIL 30, 1979

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 30, 1979

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled  
2 "An act providing for and reorganizing the conduct of the  
3 executive and administrative work of the Commonwealth by the  
4 Executive Department thereof and the administrative  
5 departments, boards, commissions, and officers thereof,  
6 including the boards of trustees of State Normal Schools, or  
7 Teachers Colleges; abolishing, creating, reorganizing or  
8 authorizing the reorganization of certain administrative  
9 departments, boards, and commissions; defining the powers and  
10 duties of the Governor and other executive and administrative  
11 officers, and of the several administrative departments,  
12 boards, commissions, and officers; fixing the salaries of the  
13 Governor, Lieutenant Governor, and certain other executive  
14 and administrative officers; providing for the appointment of  
15 certain administrative officers, and of all deputies and  
16 other assistants and employes in certain departments, boards,  
17 and commissions; and prescribing the manner in which the  
18 number and compensation of the deputies and all other  
19 assistants and employes of certain departments, boards and  
20 commissions shall be determined," providing for the election  
21 of the Secretary of Transportation.

22 The General Assembly of the Commonwealth of Pennsylvania  
23 hereby enacts as follows:

24 Section 1. Clause (1) of subsection (d) of section 207.1,  
25 act of April 9, 1929 (P.L.177, No.175), known as "The  
26 Administrative Code of 1929," amended June 20, 1978 (P.L.477,  
27 No.70), is amended to read:

28 Section 207.1. Gubernatorial Appointments.--\* \* \*

(d) The Governor shall nominate in accordance with the provisions of the Constitution of the Commonwealth of Pennsylvania and, by and with the advice and consent of a majority of the members elected to the Senate appoint persons to fill the following positions:

(1) The Attorney General, the Secretary of Education, the Secretary of the Commonwealth, the Adjutant General, the Insurance Commissioner, the Secretary of Banking, the Secretary of Agriculture, [the Secretary of Transportation,] the Secretary of Health, the Commissioner of the State Police, the Secretary of Labor and Industry, the Secretary of Aging, the Secretary of Public Welfare, the Secretary of General Services, the Secretary of Revenue, the Secretary of Commerce, the Secretary of Community Affairs and the Secretary of Environmental Resources.

\* \* \*

Section 2. The act is amended by adding a section to read:

Section 224. Election of Secretary of Transportation.--The office of Secretary of Transportation is hereby established as an elective office. The term of office shall be for two years and shall commence on the third Tuesday of January next following his election. The Secretary of Transportation shall be chosen by the qualified electors of the Commonwealth at each municipal election, in accordance with the act of June 3, 1937 (P.L.1333, No.320), known as the "Pennsylvania Election Code."

Section 3. Section 2001.3 of the act, added May 6, 1970 (P.L.356, No.120), is amended to read:

Section 2001.3. Deputy Secretaries.--(a) The Secretary of Transportation shall appoint[, with the approval of the Governor,] five deputy secretaries who shall have the title of Deputy Secretary for Administration, Deputy Secretary for

1 Highway Administration, Deputy Secretary for Safety  
2 Administration, Deputy Secretary for Planning and Deputy  
3 Secretary for Local and Area Transportation.

4 (b) The Deputy Secretary for Administration, with the  
5 approval of the Secretary of Transportation, shall have the  
6 powers and perform the duties and functions under this act  
7 regarding the fiscal affairs of the department, the management  
8 information systems, office services, personnel, and operations  
9 analysis and improvement.

10 (c) The Deputy Secretary for Highway Administration, with  
11 the approval of the Secretary of Transportation shall have the  
12 powers and perform the functions and duties provided in sections  
13 2002 through 2009 of this act regarding the design,  
14 construction, maintenance and land acquisition of State  
15 designated highways and shall assure that the design,  
16 maintenance, operation and replacement of highways will be such  
17 as to protect health and minimize danger to life or property.

18 (d) The Deputy Secretary for Safety Administration, with the  
19 approval of the Secretary of Transportation shall conduct a  
20 continuing study of means to prevent accidents and injuries on  
21 the highways, shall have the powers and perform the duties and  
22 functions heretofore imposed upon and performed by the Bureau of  
23 Motor Vehicles in the Department of Revenue and the Bureau of  
24 Traffic Safety in the Department of Revenue and shall exercise  
25 such powers and duties with regard to safety in other modes of  
26 transportation as may be prescribed by law.

27 (e) The Deputy Secretary for Planning, with the approval of  
28 the Secretary of Transportation shall have the powers and  
29 perform the functions and duties provided in this act with  
30 regard to environment, conservation, health, recreation and

1 social considerations, transportation planning statistics,  
2 economic research, program and budget and advance planning.

3     (f) The Deputy Secretary for Local and Area Transportation,  
4 with the approval of the Secretary of Transportation shall have  
5 the powers and perform the functions and duties provided in  
6 sections 2002 and 2003 regarding services to municipalities,  
7 local and public transportation, planning, development and  
8 funding of local and public transportation, technological  
9 development of air, rail, water or other modes of transportation  
10 (except recreational boating and ferry licensing), environmental  
11 design, improvement of transportation services and airports and  
12 aircraft and shall perform the functions and duties heretofore  
13 imposed upon and performed by the Department of Community  
14 Affairs and the Department of Commerce under the act of January  
15 22, 1968 (Act No. 7), known as "The Pennsylvania Transportation  
16 Assistance Authority Act of 1967," by the Mass Transportation  
17 Division in the Bureau of Community Development of the  
18 Department of Community Affairs, by the Secretary of Community  
19 Affairs under the act of January 22, 1968 (Act No. 8), known as  
20 the "Pennsylvania Urban Mass Transportation Assistance Law of  
21 1967," by the former Pennsylvania Aeronautics Commission in the  
22 Department of Military Affairs, by the Department of Commerce in  
23 regard to High-Speed Rail Demonstration Programs and by the  
24 former Department of Highways in regard to the distribution of  
25 liquid fuels taxes to the municipalities and townships.

26     Section 4. (a) Sections 1 and 3 of this act shall take  
27 effect on the third Tuesday of January next following the  
28 initial election of the Secretary of Transportation.

29     (b) Section 2 of this act shall take effect immediately and  
30 shall apply to the municipal election next following six months

1 from the date of final enactment.

2 (c) The term of the appointed incumbent Secretary of  
3 Transportation shall expire on the third Tuesday of January next  
4 following the initial election of the Secretary of  
5 Transportation.