

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1043

Session of
1981

INTRODUCED BY KANUCK, W. D. HUTCHINSON, GALLEN, SIEMINSKI,
DAVIES, FRYER, RYBAK, RITTER, KOWALYSHYN, ZWIKL, BROWN,
CALTAGIRONE, SNYDER, SEVENTY, BRANDT, REBER, GRUPPO, PITTS,
E. Z. TAYLOR, J. L. WRIGHT, CLYMER, OLASZ, GEIST, MORRIS AND
ROCKS, MARCH 25, 1981

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
APRIL 1, 1981

AN ACT

1 Amending the act of February 11, 1976 (P.L.14, No.10), entitled
2 "An act authorizing development of rural and intercity common
3 carrier surface transportation," mandating certain intercity
4 rail service and defining local financial responsibilities.

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

7 Section 1. Subsection (b) of section 5, act of February 11,
8 1976 (P.L.14, No.10), known as the "Pennsylvania Rural and
9 Intercity Common Carrier Surface Transportation Assistance Act,"
10 is amended and the section is amended by adding a subsection to
11 read:

12 Section 5. Intercity Rail Passenger Service Program.--* * *

13 (b) The department shall coordinate the intercity rail
14 passenger activities of the Commonwealth and other interested
15 public and private organizations and persons to effectuate the
16 purposes of this section and shall have the responsibility for
17 negotiating with the Federal Government with respect to

1 intercity rail passenger service programs. The secretary is
2 authorized to enter into joint service agreements between the
3 Commonwealth and any railroad company; any other Commonwealth
4 department or agency or instrumentality thereof; any Federal
5 agency; any other state or agency or instrumentality thereof;
6 [or any political subdivision or municipality of the
7 Commonwealth or any other state, or any instrumentality
8 thereof,] relating to property, buildings, structures,
9 facilities, services, rates, fares, classifications, dividends,
10 allowances or charges (including charges between intercity rail
11 passenger service facilities), or rules or regulations
12 pertaining thereto, for or in connection with or incidental to
13 transportation in whole or in part upon intercity rail passenger
14 service facilities. Intercity rail passenger service facilities
15 include the right-of-way and related trackage, rails, cars,
16 locomotives, or other rolling stock, signal, power, fuel,
17 communication and ventilation systems, power plants, stations,
18 terminals, storage yards, repair and maintenance shops, yards,
19 equipment and parts, offices and other real estate or personalty
20 used or held for or incidental to the operation, rehabilitation
21 or improvement of any railroad operating intercity rail
22 passenger service or to operate such service, including but not
23 limited to buildings, structures, and rail property.

24 * * *

25 (d) The Commonwealth shall maintain and operate or shall
26 enter into joint service agreements between the Commonwealth and
27 any railroad company; any other Commonwealth department or
28 agency or instrumentality thereof; or any Federal agency; or any
29 other State or agency or instrumentality thereof, for intercity
30 rail passenger facilities and regularly scheduled service

1 between the following cities in a safe, modern and efficient
2 manner consistent with the convenient and commercial needs of
3 the citizens of this Commonwealth:

4 (i) Bethlehem and Philadelphia.

5 (ii) Pottsville, Reading, Pottstown and Philadelphia.

6 (iii) BEAVER FALLS, ALIQUIPPA, Pittsburgh, Johnstown,
7 Altoona, Harrisburg, Lancaster and Philadelphia.

<—

8 Section 2. Subsection (a) of section 6 of the act is amended
9 to read:

10 Section 6. Cooperation With Other Governments and Private
11 Interests.--(a) The department is directed to administer all
12 projects under this act with such flexibility as to promote and
13 encourage full cooperation and financial participation of
14 Federal, State and local governments, agencies and
15 instrumentalities, as well as private interests, so as to result
16 in as effective and economical a program as possible. State
17 financed projects as authorized under this act shall require
18 local financial participation for rural common carrier surface
19 transportation to the extent deemed reasonable by the secretary
20 as expressed by rule or regulation. Intercity common carrier
21 surface transportation, including service provided pursuant to
22 section 5, shall not require local financial participation. The
23 department shall respond to the requirements of the Regional
24 Rail Reorganization Act of 1973 for the preservation of railroad
25 service by means of operating assistance or acquisition, and
26 shall follow planning requirements related thereto.

27 * * *

28 Section 3. This act shall take effect immediately.