

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

SENATOR MANBECK, TRANSPORTATION, IN SENATE, AS AMENDED,
APRIL 28, 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~~ <—

11 SUBSECTIONS to 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

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

25 * * *

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

~~rail passenger facilities and regularly scheduled service
between the following cities in a safe, modern and efficient
manner consistent with the convenient and commercial needs of
the citizens of this Commonwealth:~~

~~(i) Bethlehem and Philadelphia.~~

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

~~(iii) Beaver Falls, Aliquippa, Pittsburgh, Johnstown,
Altoona, Harrisburg, Lancaster and Philadelphia.~~

(D) THE COMMONWEALTH SHALL PROVIDE FINANCIAL ASSISTANCE TO
INSURE THE CONTINUATION OF:

(1) RAIL PASSENGER SHUTTLE SERVICES BETWEEN READING-
NORRISTOWN, BETWEEN BETHLEHEM-LANSDALE AND BETWEEN POTTSVILLE-
READING; AND

(2) RAIL PASSENGER SERVICE BETWEEN BEAVER FALLS AND
PITTSBURGH.

(E) THE FOLLOWING LIMITATIONS SHALL APPLY TO THE PROVISIONS
OF SUBSECTION (D):

(1) THE RAILROAD COMPANIES OR OTHER RAILROAD OPERATING
AGENCIES AGREE TO PROVIDE THE SERVICE.

(2) FEDERAL MATCHING FUNDS ARE PROVIDED.

(3) THESE SERVICES ACHIEVE A MINIMUM COST RECOVERY
(REVENUE/EXPENSE RATIO) OF 0.30 AND THE STATE SUBSIDY PER
PASSENGER TRIP DOES NOT EXCEED THE COMPARABLE FARE CHARGED BY
ALTERNATE BUS SERVICES.

(4) FOR FISCAL YEAR 1981-1982, THE DEPARTMENT SHALL ARRANGE
TO HAVE SERVICES CONTINUED AS PRESENTED ABOVE SO LONG AS A
RAILROAD PASSENGER COMPANY OR ORGANIZATION AGREES TO PROVIDE
SAID SERVICES.

(F) THE RAIL PASSENGER SERVICES PURSUANT TO THIS SECTION
SHALL NOT REQUIRE LOCAL GOVERNMENT FINANCIAL PARTICIPATION.

1 HOWEVER, IF FEDERAL MATCHING FUNDS BECOME UNAVAILABLE THE
2 DEPARTMENT MAY REQUIRE LOCAL FINANCIAL PARTICIPATION TO THE
3 EXTENT DEEMED NECESSARY BY THE DEPARTMENT TO JUSTIFY CONTINUED
4 OPERATION OF THESE SERVICES.

5 ~~Section 2. Subsection (a) of section 6 of the act is amended <—~~
6 ~~to read:~~

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

24 ~~* * *~~

25 ~~Section 3. 2. This act shall take effect immediately JULY 1, <—~~
26 ~~1981.~~