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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL  
No. 2082 Session of  
1986

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INTRODUCED BY HUTCHINSON, McVERRY, MURPHY, LAUGHLIN AND GAMBLE,  
FEBRUARY 4, 1986

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REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 4, 1986

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AN ACT

1 Amending the act of June 1, 1945 (P.L.1242, No.428), entitled  
2 "An act relating to roads, streets, highways and bridges;  
3 amending, revising, consolidating and changing the laws  
4 administered by the Secretary of Highways and by the  
5 Department of Highways relating thereto," providing for  
6 certain relocation costs.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. The act of June 1, 1945 (P.L.1242, No.428), known  
10 as the State Highway Law, is amended by adding a section to  
11 read:

12 Section 1008. Relocation Costs for Public Utility Facilities  
13 Where Federal Funds Available.--(a) The cost of relocation of  
14 the facilities of public utilities necessitated by the  
15 construction, reconstruction, widening or relocation of any  
16 State highway, bridge or tunnel, or any part thereof, which is  
17 part of a project for which some portion of the cost is to be  
18 reimbursed to the department from Federal funds, shall be  
19 reimbursed to the owner of the public utility facilities by the

1 department.

2 (b) The provisions of subsection (a) shall not apply to the  
3 reimbursement for costs incurred in the construction,  
4 relocation, alteration, protection or abolition of railroad-  
5 highway crossings which are subject to 66 Pa.C.S. Ch.27  
6 (relating to railroads).

7 (c) For purposes of this subsection, the following terms  
8 shall have the following meanings:

9 (1) The term "cost of relocation" shall include the entire  
10 amount paid by the owner of the public utility for relocation of  
11 the public utility facilities after deducting from that amount  
12 any increase in the value of the new facilities and any salvage  
13 value derived from the old facilities.

14 (2) The term "facilities" shall include all "facilities" of  
15 all "public utilities" as those terms are defined in 66 Pa.C.S.  
16 § 102 (relating to definitions).

17 (3) The term "public utility" shall include: (i) any person  
18 or corporation which is a "public utility" as defined in 66  
19 Pa.C.S. § 102; and (ii) any person or corporation providing like  
20 services which is regulated by an agency of the Federal  
21 government.

22 Section 2. This act shall take effect in 60 days.