

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2142 Session of
1995

INTRODUCED BY SAINATO, BELARDI, LEDERER, READSHAW, MARKOSEK,
VAN HORNE, LaGROTTA, HALUSKA, SHANER, TANGRETTI, TRAVAGLIO,
WALKO, DALEY, KUKOVICH, PESCI, JAROLIN, REBER, HABAY, STAIRS,
LEVDANSKY, BEBKO-JONES, GIGLIOTTI, DeLUCA, BOSCOLA,
YOUNGBLOOD, BUTKOVITZ, McGEEHAN, OLIVER, MANDERINO, THOMAS,
KELLER AND VEON, OCTOBER 24, 1995

REFERRED TO COMMITTEE ON TRANSPORTATION, OCTOBER 24, 1995

AN ACT

1 Amending the act of September 30, 1985 (P.L.240, No.61),
2 entitled "An act to facilitate vehicular traffic within and
3 across the Commonwealth by providing for the construction,
4 reconstruction, improvement, operation and maintenance of
5 toll roads and the conversion of existing toll-free roads to
6 toll roads in Pennsylvania; conferring powers and imposing
7 duties on the Pennsylvania Turnpike Commission; providing for
8 membership on the Pennsylvania Turnpike Commission;
9 authorizing issuance of turnpike revenue bonds, notes or
10 other obligations of the commission, payable solely from
11 revenues of the commission, including tolls, or from such
12 other funds as may be available to the commission for that
13 purpose, to pay the costs of such toll roads including the
14 acquisition and other costs of toll-free roads and for
15 refunding purposes; providing that no debt of the
16 Commonwealth shall be incurred in the exercise of any of the
17 powers granted by this act; providing for the collection of
18 tolls for the payment of such bonds, notes or other
19 obligations, and for the cost of maintenance, operation and
20 repair of the toll roads including toll-free roads converted
21 to toll roads; making such turnpike revenue bonds, notes or
22 other obligations exempt from taxation; constituting the same
23 legal investments in certain instances; requiring suits
24 against the commission to be brought in the courts in which
25 such actions may be brought against the Commonwealth;
26 prescribing conditions on which toll roads shall be turned
27 over to the Department of Transportation; providing for grade
28 separations, grade changes, relocations, restorations and
29 vacations of public roads and State highways affected by the
30 toll roads; providing for the purchasing or condemnation of

1 land and procedure for determining damages in condemnation;
2 granting certain powers and authority to municipalities and
3 agencies of the Commonwealth to cooperate with the
4 commission; conferring powers and imposing duties on the
5 Department of Transportation; authorizing the Secretary of
6 Transportation to enter into negotiations with the United
7 States Department of Transportation, the Federal Highway
8 Administration or any other Federal agency regarding the
9 conversion of toll-free highways constructed in the
10 Commonwealth using Federal funds to toll roads; and
11 authorizing the Secretary of Transportation to enter into
12 agreements on behalf of the Commonwealth and the commission
13 with the United States Department of Transportation, the
14 Federal Highway Administration or any other Federal agency
15 with respect to obtaining Federal funds for resurfacing,
16 restoring, rehabilitating or reconstructing toll roads in
17 Pennsylvania," providing for uniformity of tolls.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 Section 1. Section 16 of the act of September 30, 1985
21 (P.L.240, No.61), known as the Turnpike Organization, Extension
22 and Toll Road Conversion Act, is amended by adding a subsection
23 to read:

24 Section 16. Collection and disposition of tolls and other
25 revenue.

26 (a) Establishment and changes in toll amounts.--Subject to
27 the terms of any trust indenture entered into by the commission
28 and any resolution authorizing the issuance of any bonds, notes
29 or other obligations of the commission, the commission is hereby
30 authorized to fix, and to revise, from time to time, tolls for
31 the use of the Pennsylvania Turnpike System and the different
32 parts or sections thereof, including the turnpike, the turnpike
33 extensions and improvements and the toll road conversions
34 authorized by this act, and to charge and collect the same, and
35 to contract with any person, partnership, association or
36 corporation desiring the use of any part thereof, including the
37 right-of-way adjoining the paved portion, for placing thereon
38 telephone, telegraph, electric light or power lines, gas

1 stations, garages, stores, hotels, restaurants and advertising
2 signs, or for any other purpose, except for tracks for railroad
3 or railway use, and to fix the terms, conditions, rents and
4 rates of charges for such use. Tolls shall be so fixed and
5 adjusted as to provide funds at least sufficient with other
6 revenues of the Pennsylvania Turnpike System, if any, to pay:

7 (1) the cost of constructing, maintaining, repairing and
8 operating the Pennsylvania Turnpike System and the different
9 parts and sections thereof; and

10 (2) any bonds, notes or other obligations and the
11 interest thereon of the commission, and all sinking fund
12 requirements of the commission, and other requirements
13 provided for by any resolution authorizing the issuance of
14 the bonds, notes or other obligations by the commission, or
15 by any trust indenture to which the commission is a party, as
16 the same shall become due.

17 (b) Restrictions on toll revenue.--Tolls shall not be
18 subject to supervision or regulation by any other State
19 commission, board, bureau or agency. Subject to the terms of any
20 presently existing trust indenture entered into by the
21 commission and any presently existing resolution authorizing the
22 issuance of any bonds, notes or other obligations of the
23 commission, the tolls and all other revenue derived from the
24 Pennsylvania Turnpike System shall be set aside and pledged as
25 may be provided in any resolutions, trust indentures or any
26 other agreements that the commission may hereafter adopt or
27 hereafter enter into with respect to the issuance of bonds,
28 notes or other obligations of the commission.

29 (c) Limitations on toll rates.--Notwithstanding any other
30 provision of this act, tolls for the use of the Pennsylvania

1 Turnpike System and the different parts or sections thereof,
2 including the turnpike, the turnpike extensions and improvements
3 and the toll road conversions authorized by this act shall be
4 set at a uniform rate per mile upon the same class of vehicles.

5 Section 2. All acts and parts of acts are repealed insofar
6 as they are inconsistent with this act.

7 Section 3. This act shall take effect in one year.