

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1542 Session of
1981

INTRODUCED BY FLECK, TADDONIO, HEISER AND CESSAR, JUNE 15, 1981

REFERRED TO COMMITTEE ON URBAN AFFAIRS, JUNE 15, 1981

AN ACT

1 Amending the act of April 6, 1956 (1955 P.L.1444, No.465),
2 entitled, as amended, "An act to promote the welfare of the
3 people of this Commonwealth; creating Port Authorities to
4 function in counties of the second class as bodies corporate
5 and politic, with power to plan, acquire, construct, maintain
6 and operate facilities and projects for the improvement and
7 development of the port district and to borrow money and
8 issue bonds therefor; providing for the payment of such bonds
9 and prescribing the rights of the holders thereof; conferring
10 the right of eminent domain on the authorities; authorizing
11 the authorities to enter into contracts with and to accept
12 grants from the Federal government or any agency thereof; and
13 conferring exclusive jurisdiction on certain courts over
14 rates and services; and authorizing the authorities to
15 collect tolls, fares, fees, rentals and charges for the use
16 of facilities; defining the authorities' powers and duties,
17 and defining the port districts; granting Port Authorities
18 the exclusive right to engage in the business of owning,
19 operating, and maintaining a transportation system for the
20 transportation of persons in counties of the second class,
21 providing, when necessary, for extension of transportation
22 systems into adjoining counties and outside of said counties
23 as provided in the act; limiting the jurisdiction of the
24 Public Utility Commission over Port Authorities; authorizing
25 municipalities to make loans and grants and to transfer
26 existing facilities; authorizing Port Authorities to enter
27 into contracts with and to accept grants from State and local
28 governments or agencies thereof; exempting the property and
29 facilities of such Port Authorities from taxation and
30 limiting the time to commence civil action against said
31 Authorities," requiring at least three judges to hear and
32 decide appeals.

33 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. Clause (9) of subsection (b) of section 3, act of
3 April 6, 1956 (1955 P.L.1414, No.465), known as the "Second
4 Class County Port Authority Act," amended October 7, 1959
5 (P.L.1266, No.479), repealed in part June 7, 1971 (P.L.118,
6 No.6) and April 28, 1978 (P.L.202, No.53), is amended to read:

7 Section 3. * * *

8 (b) Each authority is hereby granted and shall have and may
9 exercise all powers necessary or convenient for the carrying out
10 of the aforesaid purposes, including but without limiting the
11 generality of the foregoing, the following rights or powers:

12 * * *

13 (9) To fix, alter, charge and collect fares, rates, rentals
14 and other charges for its facilities by zones or otherwise at
15 reasonable rates to be determined exclusively by it, subject to
16 appeal, as hereinafter provided, for the purpose of providing
17 for the payment of the expenses of the authority, the
18 acquisition, construction, improvement, repair, maintenance and
19 operation of its facilities and properties, the payment of the
20 principal and interest on its obligations, and to comply fully
21 with the terms and provisions of any agreements made with the
22 purchasers or holders of any such obligations. The authority
23 shall determine by itself exclusively, the facilities to be
24 operated by it and the services to be available to the public.
25 Any person questioning the reasonableness of any rate or
26 services fixed by an authority may bring suit against the
27 authority in the court of common pleas of the county
28 incorporating the authority. The court of common pleas shall
29 have exclusive jurisdiction to determine the reasonableness of
30 fares, rates and other charges or services fixed, altered,

1 charged or collected by an authority. The court shall make such
2 order as to fares, rates and other charges or services as to it
3 shall be just and proper. No less than three judges of the court
4 of common pleas shall hear and decide the appeal.

5 * * *

6 Section 2. This act shall take effect immediately.