

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1045 Session of
1983INTRODUCED BY KUSSE, SINGEL, STOUT, FISHER, HELFRICK AND
REIBMAN, OCTOBER 5, 1983

SENATOR KUSSE, TRANSPORTATION, AS AMENDED, OCTOBER 17, 1983

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," granting additional power to
4 the department to dispose of certain lands.

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

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

11 Section 7. Contracts; Procurement and Sale of Property;
12 Competition in Award of Contracts.--(a) The department shall
13 have power and authority to enter into contracts and to make
14 joint contracts of purchase with any transportation organization
15 and/or company in any manner complying with the law applicable
16 to such transportation organization and/or company. The
17 department shall also have power and authority to make contracts
18 for the improvement of any rights-of-way, roadbeds or rolling

1 stock, or electrification systems, or other transportation
2 systems, or parts thereof, constituting a project without
3 advertisement for competitive bids, where such work is to be
4 done at cost by the personnel and with the facilities of the
5 local transportation organization or company on whose system
6 such property is to be used. [The] Any other provision of law to
7 the contrary notwithstanding, the department may sell, transfer,
8 [or] lease or grant any license to, easement over or any other
9 interest in all, or any part, of the rail properties and other
10 property acquired under the provisions of this or any other
11 rail-related act to any responsible person, firm, [or]
12 corporation, political subdivision or instrumentality thereof,
13 municipal authority, transportation authority or Federal agency
14 for continued operation or other uses compatible with the
15 operation of a railroad, or [other] any public purpose, provided
16 that approval for the continued operation, or other public
17 purpose, is granted by the Interstate Commerce Commission of the
18 United States, whenever approval is required. In the event the
19 department determines that there is no need for continued
20 operation of a railroad on any rail properties or other
21 properties acquired under the provisions of this or any other
22 rail-related act, and that the properties are not needed for any
23 other public purpose, the department may sell, transfer, lease
24 or grant any license to, easement over or any other interest in
25 all or any part of the properties to any responsible person,
26 firm, corporation, political subdivision or instrumentality
27 thereof, municipal authority, transportation authority or
28 Federal agency for any worthwhile purpose, as determined by the
29 department. AT LEAST 30 DAYS PRIOR TO THE SALE OF ANY PROPERTY
30 AS AUTHORIZED BY THIS SECTION, THE DEPARTMENT SHALL PROVIDE

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1 WRITTEN NOTICE THEREOF TO THE CHAIRMEN OF THE TRANSPORTATION
2 COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

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4 Section 2. This act shall take effect immediately.