

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

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

AS AMENDED ON THIRD CONSIDERATION, FEBRUARY 27, 1984

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~~ (1) <—
13 THE DEPARTMENT SHALL have power and authority to enter into
14 contracts and to make joint contracts of purchase with any
15 transportation organization and/or company in any manner
16 complying with the law applicable to such transportation
17 organization and/or company. The department shall also have
18 power and authority to make contracts for the improvement of any

1 rights-of-way, roadbeds or rolling stock, or electrification
2 systems, or other transportation systems, or parts thereof,
3 constituting a project without advertisement for competitive
4 bids, where such work is to be done at cost by the personnel and
5 with the facilities of the local transportation organization or
6 company on whose system such property is to be used. [The] ~~Any~~ <—
7 ~~other provision of law to~~

8 (2) ANY OTHER PROVISION OF LAW TO the contrary <—
9 notwithstanding, the department may sell, transfer, [or] lease
10 or grant any license to, easement over or any other interest in
11 all, or any part, of the rail properties and other property
12 acquired under the provisions of this or any other rail-related
13 act to any responsible person, firm, [or] corporation, political
14 subdivision or instrumentality thereof, municipal authority,
15 transportation authority or Federal agency for continued
16 operation or other uses compatible with the operation of a
17 railroad, or [other] any public purpose, provided that approval
18 for the continued operation, or other public purpose, is granted
19 by the Interstate Commerce Commission of the United States,
20 whenever approval is required. ~~In the event the~~ THE SALE BY THE <—
21 DEPARTMENT OF ANY RAIL PROPERTY OR OTHER PROPERTY ACQUIRED UNDER
22 THE PROVISIONS OF THIS OR ANY OTHER RAIL-RELATED ACT TO ANY
23 RESPONSIBLE PERSON, FIRM OR CORPORATION SHALL BE BY A SYSTEM OF
24 PUBLIC COMPETITIVE BIDDING.

25 (3) IN THE EVENT THE department determines that there is no
26 need for continued operation of a railroad on any rail
27 properties or other properties acquired under the provisions of
28 this or any other rail-related act, and that the properties are
29 not needed for any other public purpose, the department may sell
30 under a system of public competitive bidding, transfer, lease or

1 grant any license to, easement over or any other interest in all
2 or any part of the properties to any responsible person, firm,
3 corporation, political subdivision or instrumentality thereof,
4 municipal authority, transportation authority or Federal agency
5 for any worthwhile purpose, as determined by the department. At <—
6 least 30

7 (4) AT LEAST 30 days prior to the sale of any property as <—
8 authorized by this section SUBSECTION (A)(2) OR (3), the <—
9 department shall provide written notice thereof to the chairmen
10 of the Transportation Committees of the Senate and House of
11 Representatives.

12 * * *

13 Section 2. This act shall take effect immediately.