

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1968 Session of
1991

INTRODUCED BY MRKONIC, AUGUST 3, 1991

REFERRED TO COMMITTEE ON STATE GOVERNMENT, AUGUST 3, 1991

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," prohibiting the entering
21 into contracts to lease or purchase motor vehicles other than
22 for law enforcement purposes; and making editorial changes.

23 The General Assembly of the Commonwealth of Pennsylvania
24 hereby enacts as follows:

25 Section 1. Section 2407 of the act of April 9, 1929
26 (P.L.177, No.175), known as The Administrative Code of 1929,
27 amended or added June 3, 1943 (P.L.833, No.352), February 23,

1 1956 (1955 P.L.1080, No.350) and December 18, 1968 (P.L.1232,
2 No.390), is amended to read:

3 Section 2407. Automobiles.--(a) The Department of [Property
4 and Supplies] General Services shall, upon the effective date of
5 this act, take over, and thereafter assume responsibility for,
6 the maintenance and operation of all automobiles owned by the
7 Commonwealth, or any administrative department, board, or
8 commission thereof, except the Department of [Highways]
9 Transportation.

10 (b) After the effective date of this act, all automobiles
11 required for use by the administrative departments, boards,
12 commissions and officers of the State Government for law
13 enforcement purposes, shall be purchased by the Department of
14 [Property and Supplies] General Services, but, in purchasing
15 automobiles required for the use of any department, board, or
16 commission, having authority to purchase automobiles out of
17 money appropriated to it, the Department of [Property and
18 Supplies] General Services shall act as purchasing agency.

19 (c) The Department of [Property and Supplies] General
20 Services shall make or contract for the making of all repairs to
21 automobiles owned by the Commonwealth, except those operated by
22 the Department of [Highways] Transportation, unless in any case
23 it shall specifically authorize any department, board,
24 commission, or officer, to make or order the making of repairs
25 to any specified automobiles, and, except emergency repairs
26 necessarily made while any automobile is away from its garage.

27 (d) The Department of [Property and Supplies] General
28 Services may assign to any department, board, or commission,
29 such automobiles as may be required by it for [full-time daily
30 use] for law enforcement purposes, and such automobiles shall be

1 operated by employees of such departments, boards, or
2 commissions. [The department shall maintain a sufficient number
3 of automobiles, not assigned to departments, boards, or
4 commissions, to meet the requirements of departments, boards,
5 and commissions which do not require the full-time daily use of
6 automobiles, and to meet extraordinary and occasional demands of
7 all departments, boards, and commissions, other than the
8 Department of Highways. Such automobiles with or without
9 chauffeurs, shall be furnished to departments, boards, or
10 commissions, upon requisition of the heads of the respective
11 departments, or of the executive officers of the respective
12 boards or commissions.] This paragraph shall not be construed to
13 prohibit a State officer or employe from being reimbursed for
14 the use of his own automobile on State business, but all such
15 reimbursements shall be made under and subject to the rules of
16 the Executive Board regulating the payment of expenses to State
17 officers and employes.

18 (e) The cost of oil, gasoline, tires, repair parts for and
19 repairs to automobiles permanently assigned to departments for
20 law enforcement purposes, boards, and commissions, shall be paid
21 out of the appropriations to such departments, boards, and
22 commissions, but the Department of [Property and Supplies]
23 General Services shall contract for all such oil, gasoline,
24 tires, repair parts, and repairs, except that repairs may be
25 made by the Department of [Highways] Transportation, and, if
26 authorized as hereinbefore provided, by other departments and by
27 boards and commissions. [For the use of other automobiles,
28 departments, boards, and commissions shall be billed by the
29 Department of Property and Supplies, upon a mileage basis, at
30 such amount per mile as the Department of Property and Supplies,

1 with the approval of the Governor, shall determine. Amounts
2 payable for the use of such automobiles shall be paid out of the
3 appropriations to such departments, boards, or commissions to
4 the Department of Property and Supplies, and shall be, by it,
5 paid into the General Fund of the State Treasury, through the
6 Department of Revenue.

7 The Department of Property and Supplies shall require every
8 administrative department, including the Department of Highways,
9 and every independent administrative and departmental
10 administrative board or commission, to report to it monthly,
11 upon forms supplied by it, and with such detail as it shall
12 require, the places to and from which each automobile was
13 operated, the mileage traveled, the amount of oil and gasoline
14 purchased, the names of employes of the department, board, or
15 commission operating each automobile, the names of the employes
16 of the department, board, or commission for whom the automobiles
17 were operated, and such other information as may be necessary to
18 enable the Department of Property and Supplies to make and keep
19 complete records of the use and cost of operation of all State
20 automobiles, except that it shall not be necessary for the
21 Department of the Auditor General, the Treasury Department, or
22 the Pennsylvania State Police, to report the places to and from
23 which, or the names of the persons by or for whom automobiles
24 were operated.

25 The types and number of automobiles to be purchased by the
26 Department of Property and Supplies hereunder shall be subject
27 to approval by the Executive Board, and the use of automobiles
28 by State officers and employes shall be subject to the rules and
29 regulations of the Executive Board.]

30 (f) Subject to the approval of the Board of Commissioners of

1 Public Grounds and Buildings, the Department of [Property and
2 Supplies] General Services may sell automobiles, owned by the
3 Commonwealth, when it deems it is in the public interest to do
4 so. The proceeds of such sales shall be paid into the State
5 Treasury, shall be credited to the appropriation to the
6 department for the purchase of automobiles, or to any
7 department, board or commission having authority to purchase
8 automobiles with money appropriated to it, and are hereby
9 appropriated to the respective department, board or commission
10 for the purchase of automobiles.

11 Section 2. The act is amended by adding a section to read:

12 Section 2407.2. Leasing or Purchasing of Motor Vehicles.--
13 The Department of General Services or any department, board,
14 commission or other agency of the Commonwealth shall not enter
15 into or renew a contract for purchase or lease of motor vehicles
16 other than for law enforcement purposes after the effective date
17 of this section.

18 Section 3. The Department of General Services shall continue
19 to assume responsibility for the maintenance and operation of
20 all motor vehicles owned or leased by the Commonwealth prior to
21 the effective date of this act.

22 Section 4. This act shall take effect in 60 days.