

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2890 Session of  
1996

INTRODUCED BY ITKIN, DeLUCA, BOSCOLA, BATTISTO, CARN, CARONE,  
FARMER, GIGLIOTTI, HANNA, KIRKLAND, KREBS, KUKOVICH,  
LaGROTTA, LAUGHLIN, LEVDANSKY, MIHALICH, MELIO, MERRY, PESCI,  
ROBINSON, STABACK, STEELMAN, STEIL, THOMAS, VAN HORNE,  
JAROLIN, MYERS AND EVANS, SEPTEMBER 25, 1996

REFERRED TO COMMITTEE ON TRANSPORTATION, SEPTEMBER 25, 1996

AN ACT

1 Providing for the assumption by the Department of Transportation  
2 of the operation, maintenance, construction and  
3 reconstruction functions of the Pennsylvania Turnpike  
4 Commission; providing for transfer to the Department of  
5 Transportation and the Governor of land, buildings, personal  
6 property and employees of the commission; providing for the  
7 abolition of the commission and the office of Turnpike  
8 Commissioner; providing for the continued servicing of  
9 commission bonds; establishing the Toll Road Fund; and making  
10 repeals.

11 The General Assembly of the Commonwealth of Pennsylvania  
12 hereby enacts as follows:

13 Section 1. Definitions.

14 The following words and phrases when used in this act shall  
15 have the meanings given to them in this section unless the  
16 context clearly indicates otherwise:

17 "Commission." The Pennsylvania Turnpike Commission.

18 "Department." The Department of Transportation of the  
19 Commonwealth.

20 Section 2. Assumption of powers and duties by department.

1 (a) General rule.--The Department of Transportation shall  
2 assume all powers and duties of the Pennsylvania Turnpike  
3 Commission, including establishing tolls, which relate to  
4 operation, maintenance, construction and reconstruction of the  
5 Pennsylvania Turnpike and related highways and shall receive all  
6 tolls and other money otherwise payable to the commission. Any  
7 increase or decrease in tolls shall be established by regulation  
8 of the department and any such regulation shall be subject to  
9 the provisions of the act of June 25, 1982 (P.L.633, No.181),  
10 known as the Regulatory Review Act.

11 (b) Bureau of Toll Roads.--The Bureau of Toll Roads is  
12 hereby established in the department to manage the functions  
13 assumed by the department under this section. The executive  
14 director of the commission shall be the acting director of the  
15 bureau.

16 (c) Labor agreements.--The department shall honor any  
17 collective bargaining agreement in existence between the  
18 commission and any of its employees.

19 Section 3. Land, buildings, property and employees.

20 (a) Transfer to Department of Transportation.--All land,  
21 buildings, personal property and employees of the commission are  
22 transferred to the department.

23 (b) Other transfers.--Employees and personal property of the  
24 commission utilized in the bonding process are transferred to  
25 the Governor, subject to retransfer as the Governor deems  
26 appropriate, to the State Treasurer and Auditor General.

27 Section 4. Servicing of turnpike bonds.

28 (a) General rule.--The Pennsylvania Turnpike Commission  
29 organized and existing under the act of May 21, 1937 (P.L.774,  
30 No.211), referred to as the Pennsylvania Turnpike Commission

1 Act, shall continue in existence and maintain the rights vested  
2 in the commission only to the extent that such rights relate to  
3 meeting and discharging Pennsylvania Turnpike Commission bonds.  
4 When all Pennsylvania Turnpike Commission bonds at any time  
5 issued, together with the interest thereon, are fully met and  
6 discharged, the Pennsylvania Turnpike Commission is abolished.

7 (b) Duty of department.--The department shall transfer to  
8 the commission such amounts from the Toll Road Fund as are  
9 necessary for the commission to meet the obligations of its  
10 bonds.

11 Section 5. Commission and commissioners.

12 Except as provided in section 4, the Pennsylvania Turnpike  
13 Commission and the office of Turnpike Commissioner are  
14 abolished.

15 Section 6. Toll Road Fund.

16 (a) Establishment.--The Toll Road Fund is hereby established  
17 as a restricted account in the State Treasury, separate and  
18 apart from all other public money or funds of the Commonwealth,  
19 to be appropriated annually by the General Assembly, for use in  
20 carrying out the purposes provided in subsection (c).

21 (b) Source.--The source of the Toll Road Fund shall be  
22 tolls, revenues from leases and concessions and other revenue  
23 collected under the provisions of this act and any other acts of  
24 the General Assembly authorizing the imposition of tolls and any  
25 other appropriations made to the fund.

26 (c) Purposes.--Subject to section 4(b) and to the terms of  
27 any presently existing trust indenture entered into by the  
28 Pennsylvania Turnpike Commission and any presently existing  
29 resolution authorizing the issuance of any bonds, notes or other  
30 obligations of the Pennsylvania Turnpike Commission, the tolls

1 and other revenue derived from the Pennsylvania Turnpike system  
2 and any other toll roads shall be used to pay charges and costs  
3 for the operation, maintenance and repair of the toll road from  
4 which such toll was collected or revenue derived and for other  
5 purposes which may be provided in future bonds or indentures.

6 Section 7. Repeals.

7 (a) Inconsistent.--The following acts and parts of acts are  
8 repealed insofar as they are inconsistent with this act:

9 Act of May 21, 1937 (P.L.774, No.211), referred to as the  
10 Pennsylvania Turnpike Commission Act.

11 Act of May 16, 1940 (Sp.Sess., 1941 P.L.949, No.11), known as  
12 the Pennsylvania Turnpike Philadelphia Extension Act.

13 Act of June 11, 1941 (P.L.101, No.53), known as the Western  
14 Pennsylvania Turnpike Extension Act.

15 Act of June 21, 1947 (P.L.877, No.367), to authorize and  
16 empower the Pennsylvania Turnpike Commission to combine the  
17 Turnpike, the Eastern Extension, and the Western Extension, or  
18 any two thereof, for financing purposes under the provisions of  
19 this act; authorizing the issuance of Turnpike revenue bonds of  
20 the Commonwealth payable solely from tolls; to pay the cost of  
21 the Eastern Extension and the Western Extension; paying the cost  
22 of the Eastern Extension, or the cost of the Western Extension,  
23 or the cost of both; and refunding any Turnpike revenue bonds or  
24 Turnpike refunding bonds which have heretofore been issued by  
25 the Commission under the provisions of any act heretofore  
26 approved, or under the provisions of this act, and which shall  
27 then be outstanding, including the payment of any redemption  
28 premiums thereon; refunding any revenue bonds or revenue  
29 refunding bonds heretofore issued under the provisions of this  
30 act, including the payment of and redemption premiums thereon;

1 authorizing the Commission to fix tolls from time to time for  
2 use of the projects so combined; providing for the use of a  
3 facsimile of the signature of the Governor, and of the Chairman  
4 of the Commission in lieu of their manual signatures, and a  
5 facsimile of the official seal of the Commission upon any bonds  
6 issued under the provisions of this act, or any other act;  
7 authorizing the issuance of bonds for the payment of the  
8 construction of any turnpike, and giving certain definitions.

9 Act of May 23, 1951 (P.L.335, No.74), known as the  
10 Pennsylvania Turnpike Delaware River Extension Act.

11 Act of August 14, 1951 (P.L.1232, No.282), referred to as the  
12 Pennsylvania Turnpike System Financing Act.

13 Act of September 27, 1951 (P.L.1430, No.348), known as the  
14 Pennsylvania Turnpike Northeastern Extension Act.

15 Act of January 14, 1952 (1951 P.L.1947, No.547), known as the  
16 Pennsylvania Turnpike Gettysburg Extension Act.

17 Act of July 28, 1953 (P.L.706, No.229), known as the  
18 Pennsylvania Turnpike Northwestern Extension Act.

19 Act of June 10, 1955 (P.L.157, No.50), known as the  
20 Pennsylvania Turnpike Keystone Shortway Act.

21 Act of June 14, 1955 (P.L.174, No.52), known as the  
22 Pennsylvania Turnpike Southwestern Extension Act.

23 Act of May 15, 1956 (1955 P.L.1589, No.534), known as the  
24 Pennsylvania Turnpike Philadelphia Loop Extension Act.

25 Act of May 17, 1957 (P.L.160, No.73), requiring all tunnels on  
26 the Pennsylvania Turnpike to be painted white or lined with a  
27 light colored material and be equipped with continuous lighting.

28 Act of September 8, 1959 (P.L.828, No.322), requiring the  
29 erection and maintenance of medial barriers or guards on the  
30 Pennsylvania Turnpike between the Donegal and Bedford

1 interchanges.

2 Act of September 15, 1961 (P.L.1305, No.573), authorizing the  
3 Pennsylvania Turnpike Commission to finance and construct  
4 certain additional projects on the Pennsylvania Turnpike System.  
5 requiring the erection and maintenance of medial barriers or  
6 guards on the Pennsylvania Turnpike.

7 Act of September 30, 1985 (P.L.240, No.61), known as the  
8 Turnpike Organization, Extension and Toll Road Conversion Act.

9 (b) General.--All other acts and parts of acts are repealed  
10 insofar as they are inconsistent with this act.

11 Section 8. This act shall take effect in 60 days.