

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1258 Session of  
2003

INTRODUCED BY SAINATO, YOUNGBLOOD, CAPPELLI, DeWEESE, LESCOVITZ,  
BUNT, WASHINGTON, SHANER, FABRIZIO, HORSEY, JAMES, CREIGHTON  
AND LaGROTTA, APRIL 29, 2003

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 29, 2003

AN ACT

1 Amending the act of September 30, 1985 (P.L.240, No.61),  
2 entitled "An act to facilitate vehicular traffic within and  
3 across the Commonwealth by providing for the construction,  
4 reconstruction, improvement, operation and maintenance of  
5 toll roads and the conversion of existing toll-free roads to  
6 toll roads in Pennsylvania; conferring powers and imposing  
7 duties on the Pennsylvania Turnpike Commission; providing for  
8 membership on the Pennsylvania Turnpike Commission;  
9 authorizing issuance of turnpike revenue bonds, notes or  
10 other obligations of the commission, payable solely from  
11 revenues of the commission, including tolls, or from such  
12 other funds as may be available to the commission for that  
13 purpose, to pay the costs of such toll roads including the  
14 acquisition and other costs of toll-free roads and for  
15 refunding purposes; providing that no debt of the  
16 Commonwealth shall be incurred in the exercise of any of the  
17 powers granted by this act; providing for the collection of  
18 tolls for the payment of such bonds, notes or other  
19 obligations, and for the cost of maintenance, operation and  
20 repair of the toll roads including toll-free roads converted  
21 to toll roads; making such turnpike revenue bonds, notes or  
22 other obligations exempt from taxation; constituting the same  
23 legal investments in certain instances; requiring suits  
24 against the commission to be brought in the courts in which  
25 such actions may be brought against the Commonwealth;  
26 prescribing conditions on which toll roads shall be turned  
27 over to the Department of Transportation; providing for grade  
28 separations, grade changes, relocations, restorations and  
29 vacations of public roads and State highways affected by the  
30 toll roads; providing for the purchasing or condemnation of  
31 land and procedure for determining damages in condemnation;  
32 granting certain powers and authority to municipalities and  
33 agencies of the Commonwealth to cooperate with the

1 commission; conferring powers and imposing duties on the  
2 Department of Transportation; authorizing the Secretary of  
3 Transportation to enter into negotiations with the United  
4 States Department of Transportation, the Federal Highway  
5 Administration or any other Federal agency regarding the  
6 conversion of toll-free highways constructed in the  
7 Commonwealth using Federal funds to toll roads; and  
8 authorizing the Secretary of Transportation to enter into  
9 agreements on behalf of the Commonwealth and the commission  
10 with the United States Department of Transportation, the  
11 Federal Highway Administration or any other Federal agency  
12 with respect to obtaining Federal funds for resurfacing,  
13 restoring, rehabilitating or reconstructing toll roads in  
14 Pennsylvania," further providing for collection and  
15 disposition of tolls.

16 The General Assembly of the Commonwealth of Pennsylvania  
17 hereby enacts as follows:

18 Section 1. Section 16 of the act of September 30, 1985  
19 (P.L.240, No.61), known as the Turnpike Organization, Extension  
20 and Toll Road Conversion Act, is amended to read:

21 Section 16. Collection and disposition of tolls and other  
22 revenue.

23 (a) Establishment and changes in toll amounts.--Subject to  
24 the terms of any trust indenture entered into by the commission  
25 and any resolution authorizing the issuance of any bonds, notes  
26 or other obligations of the commission, the commission is hereby  
27 authorized to fix, and to revise, from time to time, tolls for  
28 the use of the Pennsylvania Turnpike System and the different  
29 parts or sections thereof, including the turnpike, the turnpike  
30 extensions and improvements and the toll road conversions  
31 authorized by this act, and to charge and collect the same, and  
32 to contract with any person, partnership, association or  
33 corporation desiring the use of any part thereof, including the  
34 right-of-way adjoining the paved portion, for placing thereon  
35 telephone, telegraph, electric light or power lines, gas  
36 stations, garages, stores, hotels, restaurants and advertising  
37 signs, or for any other purpose, except for tracks for railroad

1 or railway use, and to fix the terms, conditions, rents and  
2 rates of charges for such use. Tolls shall be so fixed and  
3 adjusted as to provide funds at least sufficient with other  
4 revenues of the Pennsylvania Turnpike System, if any, to pay:

5 (1) the cost of constructing, maintaining, repairing and  
6 operating the Pennsylvania Turnpike System and the different  
7 parts and sections thereof; and

8 (2) any bonds, notes or other obligations and the  
9 interest thereon of the commission, and all sinking fund  
10 requirements of the commission, and other requirements  
11 provided for by any resolution authorizing the issuance of  
12 the bonds, notes or other obligations by the commission, or  
13 by any trust indenture to which the commission is a party, as  
14 the same shall become due.

15 (b) Restrictions on toll revenue.--Tolls shall not be  
16 subject to supervision or regulation by any other State  
17 commission, board, bureau or agency. Subject to the terms of any  
18 presently existing trust indenture entered into by the  
19 commission and any presently existing resolution authorizing the  
20 issuance of any bonds, notes or other obligations of the  
21 commission, the tolls and all other revenue derived from the  
22 Pennsylvania Turnpike System shall be set aside and pledged as  
23 may be provided in any resolutions, trust indentures or any  
24 other agreements that the commission may hereafter adopt or  
25 hereafter enter into with respect to the issuance of bonds,  
26 notes or other obligations of the commission.

27 (c) Limitations on toll rates for E-Z Pass patrons.--  
28 Notwithstanding any other provision of this act, tolls for the  
29 use of the Pennsylvania Turnpike System and the different parts  
30 or sections thereof, including the turnpike, the turnpike

1 extensions and improvements and the toll road conversions  
2 authorized by this act shall be set at a uniform rate per mile  
3 upon the same class of vehicles and shall be collected based on  
4 the number of miles traveled. A minimum charge of 25¢ shall be  
5 collected notwithstanding the number of miles traveled. This  
6 subsection shall only apply to those persons using the E-Z Pass  
7 Automated Billing System.

8 Section 2. This act shall take effect in 60 days.