

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2156 Session of
2003

INTRODUCED BY CAUSER, ARGALL, BAKER, BISHOP, BOYD, CAPPELLI,
COLEMAN, CRAHALLA, DeWEESE, GEORGE, GINGRICH, GOOD, GORDNER,
HASAY, HERSHEY, KOTIK, LAUGHLIN, LEDERER, LEVDANSKY, MAJOR,
O'NEILL, PHILLIPS, REICHLEY, SAYLOR, SOLOBAY, R. STEVENSON,
TIGUE, TRAVAGLIO, TURZAI, YUDICHAK, MUNDY, E. Z. TAYLOR,
ARMSTRONG, FABRIZIO AND DALLY, NOVEMBER 18, 2003

REFERRED TO COMMITTEE ON STATE GOVERNMENT, NOVEMBER 18, 2003

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," providing for sales of
21 State-owned vehicles and equipment to municipalities; and
22 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,

1 amended June 3, 1943 (P.L.833, No.352), February 23, 1956 (1955
2 P.L.1080, No.350) and December 18, 1968 (P.L.1232, No.390), is
3 amended to read:

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

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

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

29 The Department of [Property and Supplies] General Services
30 may assign to any department, board, or commission, such

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

20 The cost of oil, gasoline, tires, repair parts for and
21 repairs to [automobiles] vehicles permanently assigned to
22 departments, boards, and commissions, shall be paid out of the
23 appropriations to such departments, boards, and commissions, but
24 the Department of [Property and Supplies] General Services shall
25 contract for all such oil, gasoline, tires, repair parts, and
26 repairs, except that repairs may be made by the Department of
27 [Highways] Transportation, and, if authorized as hereinbefore
28 provided, by other departments and by boards and commissions.
29 For the use of other [automobiles] vehicles, departments, boards
30 and commissions shall be billed by the Department of [Property

1 and Supplies] General Services, upon a mileage basis, at such
2 amount per mile as the Department of [Property and Supplies]
3 General Services, with the approval of the Governor, shall
4 determine. Amounts payable for the use of such [automobiles]
5 vehicles shall be paid out of the appropriations to such
6 departments, boards, or commissions to the Department of
7 [Property and Supplies] General Services, and shall be, by it,
8 paid into the General Fund of the State Treasury, through the
9 Department of Revenue.

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

30 The types and number of [automobiles] vehicles to be

1 purchased by the Department of [Property and Supplies] General
2 Services hereunder shall be subject to approval by the Executive
3 Board, and the use of [automobiles] vehicles by State officers
4 and employes shall be subject to the rules and regulations of
5 the Executive Board.

6 Subject to the approval of the Board of Commissioners of
7 Public Grounds and Buildings, the Department of [Property and
8 Supplies] General Services may sell [automobiles] vehicles,
9 owned by the Commonwealth, when it deems it is in the public
10 interest to do so. The proceeds of such sales shall be paid into
11 the State Treasury, shall be credited to the appropriation to
12 the department for the purchase of [automobiles] vehicles, or to
13 any department, board or commission having authority to purchase
14 [automobiles] vehicles with money appropriated to it, and are
15 hereby appropriated to the respective department, board or
16 commission for the purchase of [automobiles] vehicles.

17 In the case of any vehicle operated by the Department of
18 Transportation or any road, bridge material or equipment
19 declared surplus or unserviceable by the Department of
20 Transportation, the Department of General Services shall direct
21 the Department of Transportation to hold the vehicle, material
22 or equipment at the place of origin for a period of at least
23 thirty days from the date on which the vehicle, material or
24 equipment is declared surplus or unserviceable by the
25 Commonwealth for the purpose of offering the vehicle, material
26 or equipment for sale to municipalities. The Department of
27 Transportation shall prepare, update and make available upon
28 request a list of all vehicles, materials and equipment
29 available for sale to municipalities under this section and
30 shall make each item on this list available for inspection at

1 the place of origin during the applicable thirty-day holding
2 period. The purchase price for any vehicle sold to a
3 municipality under this section shall be equal to the average
4 price paid for similar vehicles at the most recent auction. The
5 purchase price for road or bridge material or equipment sold to
6 a municipality under this section shall be equal to the average
7 price paid for similar material or equipment through auction or
8 competitive bidding during the preceding calendar year. Any
9 vehicle, material or equipment that is not sold to a
10 municipality during the applicable thirty-day holding period
11 shall be disposed of at auction or sale, in accordance with law.

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