

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 841 Session of 2013

INTRODUCED BY SCHWANK, COSTA, WOZNIAK, FONTANA, TARTAGLIONE AND FARNESE, MAY 6, 2013

REFERRED TO LAW AND JUSTICE, MAY 6, 2013

AN ACT

1 Amending the act of June 1, 1956 (1955 P.L.1944, No.655),
2 entitled "An act providing a permanent allocation of a part
3 of the fuels and liquids fuels tax proceeds to cities,
4 boroughs, incorporated towns and townships, for their road,
5 street and bridge purposes; conferring powers and imposing
6 duties on local officers and the Department of Highways; and
7 making an appropriation out of the Motor License Fund; and
8 repealing existing legislation," further providing for
9 definitions and for moneys appropriated to municipalities.

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

12 Section 1. Section 2 of the act of June 1, 1956 (1955
13 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal
14 Allocation Law, is amended by adding clauses to read:

15 Section 2. As used in this act--

16 * * *

17 (8) "Commissioner" means the Commissioner of the
18 Pennsylvania State Police.

19 (9) "Interstate highway" means a freeway on the Dwight D.
20 Eisenhower System of Interstate and Defense Highways.

21 (10) "Local full-time police patrol services" means patrol

1 services provided by a municipality for a period of twenty-four
2 hours a day, seven days a week.

3 (11) "Patrol services" means police services provided to
4 protect public safety by maintaining order, protecting people
5 and property and enforcing motor vehicle and criminal laws, by
6 routine visits through a municipality.

7 Section 2. Section 4(1) of the act, amended November 23,
8 2004 (P.L.944, No.138), is amended and the section is amended by
9 adding a clause to read:

10 Section 4. The money hereby appropriated to municipalities
11 shall be paid to the municipalities in accordance with the
12 following formula and subject to the provisions of this act:

13 (1) The money hereby allocated shall be paid to the cities,
14 boroughs, towns and townships in accordance with the following
15 formula:

16 Five-tenths of this		The number of miles in
17 allocation divided by	Multiplied	the particular
18 the total miles of	By	municipality.
19 public roads and		
20 streets which are		
21 maintained by		
22 municipalities.		

23	Plus	
24 Five-tenths of this		The official population
25 allocation divided by	Multiplied	of the particular
26 the total official	By	municipality as of
27 population of the		January first of said
28 municipalities as of		year.
29 January first of the		
30 year in which the		

1 money is to be paid
2 to the
3 municipalities.

4	<u>Minus</u>	
5	<u>The per capita cost</u>	<u>The official population</u>
6	<u>of the Pennsylvania</u>	<u>of the particular</u>
7	<u>State Police to</u>	<u>municipality as of</u>
8	<u>provide patrol</u>	<u>January first of said</u>
9	<u>services to the</u>	<u>year.</u>
10	<u>particular</u>	
11	<u>municipality, if the</u>	
12	<u>particular</u>	
13	<u>municipality does not</u>	
14	<u>provide local full-</u>	
15	<u>time police patrol</u>	
16	<u>services and it has</u>	
17	<u>an official</u>	
18	<u>population of 5,000</u>	
19	<u>residents or more.</u>	

20
21	(Amount due the
22	particular municipality)

23 To be expended by the authorities of the respective
24 municipalities (i) for the maintenance, repair, construction or
25 reconstruction of such public roads or streets, including
26 bridges, culverts and drainage structures for which they are
27 legally responsible and including the lining of streams
28 incidental to the drainage of highways, and for the maintenance,
29 repair, construction or reconstruction of curb ramps from a
30 road, street or highway to provide for access by individuals

1 with disabilities consistent with Federal and State law; (ii)
2 for the acquisition, maintenance, repair and operation of street
3 signs, traffic signs and traffic signal control systems; (iii)
4 for the maintenance, repair, construction or reconstruction of
5 alleys, ways and courts for which they are legally responsible.
6 Where road, bridge, alley, way or court work is performed by the
7 political subdivision the moneys herein allocated may be used
8 only for labor, hiring of equipment, payrolls, purchase of
9 material, including repair parts necessary for the maintenance
10 of equipment, small tools, road drags and snow fences and, in
11 addition, an amount not to exceed twenty per centum of the total
12 annual allocation received by each municipality, may be used for
13 the purchase of road machinery and road equipment; and (iv) for
14 the acquisition of computer-related hardware, software and
15 training required for the electronic processing of information
16 concerning the funds appropriated and allocated under this act,
17 including the preparation and electronic submission of the
18 required annual reports for payment certification, provided that
19 expenditures under this subclause may not exceed one thousand
20 dollars (\$1,000) annually.

21 No municipality shall receive less than the amount allocated
22 to such municipality during the fiscal year ending June 30,
23 1969. So much as is necessary of the taxes collected on each
24 gallon of liquid fuel under "The Liquid Fuel Tax Act" and on
25 each gallon of fuel under the "Fuel Use Tax Act" is hereby
26 appropriated out of the Motor License Fund to municipalities of
27 the Commonwealth for the purpose of making any additional
28 payments required under the provisions hereof. Funds hereby
29 appropriated shall be in addition to funds appropriated under
30 the provisions of section 3 of this act.

1 * * *

2 (4) By March first of each year, the commissioner shall
3 calculate and make available the per capita cost and total cost
4 to the Pennsylvania State Police of providing patrol services to
5 each municipality that has an official population of 5,000
6 residents or more, excluding the cost of Pennsylvania State
7 Police patrol services on interstate highways.

8 Section 3. This act shall take effect in 60 days.