

AUTHORIZING MUNICIPALITIES TO OPERATE RAILROAD STATIONS

Act of Dec. 16, 1965, P.L. 1117, No. 432

Cl. 53

AN ACT

Authorizing municipalities, townships, counties and any duly constituted authorities to acquire, maintain, improve and operate railroad passenger stations and prohibiting them from compelling common carriers to operate in or out of the said stations.

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

Section 1. As used in this act:

(1) The term "railroad" means any common carrier by railroad providing passenger service within the Commonwealth;

(2) The term "railroad passenger station" includes all lands, platforms, structures and facilities related in whole or in part to, or associated with, a railroad station at which passengers are served; and

(3) "Station services" shall include, but not be limited to, the sale of tickets, provision for the handling of baggage and express, and any matters relating to the conduct of the railroad's business in serving the traveling public.

Section 2. Any municipality, township, county or any duly constituted authority is authorized in its discretion and when deemed by its governing body to be in the best interest of said municipality, township, county or any duly constituted authority:

(1) To purchase, lease, or by agreement with the owner, acquire any interest in any property, real or personal, necessary or desirable for the purpose of providing new railroad passenger stations, station facilities or station services, or in like manner to acquire any existing railroad passenger station or portion thereof.

(2) To construct, maintain and improve railroad passenger stations or any portion thereof, whether owned by the municipality, township, county, authority or by others: Provided, That when the station is not owned by the municipality, township, county or authority, such construction, maintenance or improvement shall be performed pursuant to an agreement between the owner of the station and the municipality, township, county or authority.

(3) To sell, lease or grant any other interest which it may have in any railroad passenger station, or part thereof, to any railroad or to any other person or corporation for the purpose of the latter's operating, in whole or in part, such station or rendering any station services;

(4) To provide by appropriate lease or contract for the conduct of other commercial activities for the use and convenience of the traveling public in any railroad passenger station acquired or owned by the municipality, township, county or authority under this act; and

(5) To sell or otherwise dispose of any railroad passenger station which it owns, or any portion thereof, when, in the opinion of the governing body of said municipality, township, county or authority it is no longer required in the public interest.

Section 3. No municipality, township, county or duly constituted authority shall have any power to compel by ordinance, resolution or otherwise, any common carrier of passengers, subject to the jurisdiction of the Pennsylvania Public Utility Commission, to operate into or out of any railroad passenger station, to use any railroad passenger station services or to contribute to the cost of acquisition, construction, or operation of any railroad passenger station or station services.

Section 4. This act shall take effect immediately.