

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 881

Session of
1979

INTRODUCED BY MANBECK AND LYNCH, JUNE 30, 1979

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, MARCH 4, 1980

AN ACT

1 Amending the act of January 22, 1968 (P.L.42, No.8), entitled,
2 "An act empowering and authorizing the Department of
3 Community Affairs to establish and administer certain grant
4 programs for the betterment of mass transportation systems
5 and facilities throughout the Commonwealth; providing for
6 State grants to transportation companies, municipalities,
7 counties, or their instrumentalities and to agencies and
8 instrumentalities of the Commonwealth for studies, research,
9 demonstration programs, promotion programs, purchase of
10 service projects, and capital improvement projects under
11 certain conditions; authorizing grants by counties or
12 municipalities in metropolitan areas to local transportation
13 organizations," ADDING AND further providing for definitions <—
14 and program authorizations, making an editorial change,
15 FURTHER PROVIDING FOR PROJECT GRANTS, further providing for <—
16 intergovernmental cooperation, ~~and making certain transfers~~ <—
17 ~~and repeals~~. PROVIDING FOR STATE SUBSIDIES, AUTHORIZING THE <—
18 CREATION OF A TRANSPORTATION AUTHORITY TO FUNCTION IN EACH
19 METROPOLITAN AREA CONSISTING OF ANY COUNTY OF THE FIRST CLASS
20 AND ALL NEARBY COUNTIES WITHIN A RADIUS OF TWENTY MILES OF
21 ANY SUCH FIRST CLASS COUNTY, AS A BODY CORPORATE AND POLITIC
22 FOR THE PURPOSE OF ESTABLISHING AN INTEGRATED MASS
23 TRANSPORTATION SYSTEM WITH ALL PERTINENT POWERS INCLUDING,
24 BUT NOT LIMITED TO, LEASING, ACQUIRING, OWNING, OPERATING AND
25 MAINTAINING A SYSTEM FOR, OR OTHERWISE PROVIDING FOR, THE
26 TRANSPORTATION OF PERSONS, AUTHORIZING THE BORROWING OF MONEY
27 AND ISSUANCE OF BONDS THEREFOR, CONFERRING THE RIGHT OF
28 EMINENT DOMAIN ON THE AUTHORITY; ALTERING THE JURISDICTION OF
29 THE PUBLIC UTILITY COMMISSION, AUTHORIZING THE ACCEPTANCE OF
30 GRANTS FROM FEDERAL, STATE AND LOCAL GOVERNMENTS, LIMITING
31 ACTIONS AGAINST THE AUTHORITY AND EXEMPTING IT FROM TAXATION,
32 AUTHORIZING COUNTIES AND MUNICIPALITIES TO ENTER INTO
33 COMPACTS FOR THE FINANCING OF EACH AUTHORITY AND TO MAKE

1 APPROPRIATIONS IN ACCORDANCE WITH SUCH COMPACTS, CREATING A
2 CITIZEN ADVISORY COMMITTEE CONFERRING EXCLUSIVE JURISDICTION
3 UPON CERTAIN COURTS WITH RESPECT TO MATTERS RELATING TO SUCH
4 AUTHORITY, EMPOWERING EACH AUTHORITY TO FUNCTION OUTSIDE OF
5 THE METROPOLITAN AREA UNDER CERTAIN TERMS AND CONDITIONS,
6 IMPOSING A REQUIREMENT TO SUBMIT A REORGANIZATION PLAN,
7 PROVIDING SANCTIONS FOR FAILURE TO SUBMIT A REORGANIZATION
8 PLAN AND MAKING APPROPRIATIONS, AND MAKING CERTAIN TRANSFERS
9 AND REPEALS.

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

12 ~~Section 1. Section 3, act of January 22, 1968 (P.L.42,~~ <—
13 ~~No.8), known as the "Pennsylvania Urban Mass Transportation~~
14 ~~Assistance Law of 1967," clause (6.1) added July 1, 1978~~
15 ~~(P.L.691, No.118), is amended to read:~~

16 ~~Section 3. Definitions. The following terms, whenever used~~
17 ~~or referred to in this act, shall have the following meanings,~~
18 ~~except in those instances where the context clearly indicates a~~
19 ~~different meaning:~~

20 ~~{(1) "Authority" shall mean the body created by section 3 of~~
21 ~~"The Pennsylvania Transportation Assistance Authority Act of~~
22 ~~1967."}~~

23 ~~"Capital project" shall mean and include any system of public~~
24 ~~passenger or public passenger and mail transportation, including~~
25 ~~but not limited to any railway, street railway, subway, elevated~~
26 ~~and monorail passenger or passenger and mail rolling stock,~~
27 ~~including self propelled and gallery cars, locomotives,~~
28 ~~passenger buses and wires, poles and equipment for the~~
29 ~~electrification of any of the foregoing, rails, tracks,~~
30 ~~roadbeds, guideways, elevated structures, buildings, stations,~~
31 ~~terminals, docks, shelters, airports and parking areas for use~~
32 ~~in connection with public passenger or public passenger and mail~~
33 ~~transportation systems, interconnecting lines and tunnels to~~
34 ~~provide passenger or passenger and mail service connections~~

~~between transportation systems, transportation routes,
corridors, and rights of way for any thereof (but not for public
highways), signal and communication systems necessary or
desirable for the construction, operation or improvement of the
public passenger or passenger and mail transportation system
involved, or any improvement of or equipment or furnishings for
any of the foregoing or any part, or fractional and undivided
co-ownership interest in any one or combination of any of the
foregoing, that may be designated as a capital project by the
secretary.~~

~~"Construction" shall mean and include acquisition and
construction and the term "to construct" shall mean and include
to acquire and to construct, all in such manner as may be deemed
desirable.~~

~~[(2)] "Counties" shall include any county.~~

~~[(3)] "Department" shall mean the Department of [Community
Affairs] Transportation.~~

~~"Equipment" and "furnishings" shall mean and include any
equipment and furnishings whatsoever as may be deemed desirable
and required for a capital project and approved by the
department for the use and occupancy of such capital project,
and the terms "to equip" or "to furnish" shall mean and include
the installation of such equipment and furnishings.~~

~~"Federal agency" shall mean and include the United States of
America, the President of the United States of America, and any
department of, or corporation, agency or instrumentality
heretofore or hereafter created, designated or established by
the United States of America.~~

~~"Improvement" shall mean and include extension, enlargement,
equipping, furnishing and improvement, and the term "to improve"~~

1 ~~shall mean and include to extend, to enlarge, to equip, to~~
2 ~~furnish and to improve, all in such manner as may be deemed~~
3 ~~desirable.~~

4 ~~[(4)] "Local transportation organization" shall mean any~~
5 ~~political subdivision or any mass transportation or port~~
6 ~~authority or airport authority now or hereafter organized under~~
7 ~~the law of Pennsylvania or pursuant to an interstate compact or~~
8 ~~otherwise empowered to render transportation service or assist~~
9 ~~in the rendering of transportation service in a limited area in~~
10 ~~the Commonwealth of Pennsylvania, even though it may also render~~
11 ~~transportation service in adjacent states.~~

12 ~~[(5)] "Municipalities" shall include any city, borough,~~
13 ~~township, incorporated town or town.~~

14 ~~"Person" shall mean and include natural persons, firms,~~
15 ~~associations, corporations, business trusts, partnerships and~~
16 ~~public bodies, including local transportation organizations.~~

17 ~~[(6)] "Project grant" shall mean and include the~~
18 ~~Commonwealth's share of the cost of carrying out the particular~~
19 ~~project, which cost may include costs incurred prior to the~~
20 ~~effective date of this act and which cost shall include an~~
21 ~~appropriate allowance for the administrative expenses involved~~
22 ~~in carrying out the project.~~

23 ~~"Property" shall mean all property, real, personal or mixed,~~
24 ~~tangible or intangible or any interest therein including~~
25 ~~fractional and undivided co ownership interests.~~

26 ~~[(6.1)] "Public highway" shall mean every way or place, of~~
27 ~~whatever nature, open to the use of the public as a matter of~~
28 ~~right, for purposes of vehicular travel. The term "public~~
29 ~~highway" solely for the purpose of administering this act shall~~
30 ~~not be deemed to include a bridge located wholly within this~~

~~Commonwealth which is open to the use of the public for the purpose of vehicular traffic but which on March 15, 1964 [is] was owned and maintained by a mass transportation or port authority and which comprises a part of the transportation system of the mass transportation or port authority.~~

~~[(7)] "Secretary" shall mean the Secretary of [Community Affairs] Transportation.~~

~~[(8)] "Transportation company" shall mean and include any person, firm or corporation rendering public passenger or public passenger and mail transportation service, with or without the rendering of other service, in this State pursuant to common carrier authorization from the Pennsylvania Public Utility Commission or the Interstate Commerce Commission.~~

~~[(9)] "Urban common carrier mass transportation" shall include transportation within an area that includes a municipality or other built up place which is appropriate, in the judgment of the department, for a common carrier transportation system to serve commuters or others in the locality, taking into consideration the local patterns and trends of urban growth, by bus or rail or other conveyance, either publicly or privately owned, serving the general public (but not including school buses or charter or sightseeing service) and moving over prescribed routes.~~

~~Section 2. Clauses (4) and (5) of section 4, subsection (e) of section 5 and section 7 of the act, clause (5) of section 4 added December 27, 1972 (P.L.1631, No.339), are amended to read:~~

~~Section 4. Program Authorizations. The department is hereby authorized, within the limitations hereinafter provided:~~

~~* * *~~

~~(4) In connection with privately or locally assisted capital~~

1 ~~projects or capital projects financed with private or local and~~
2 ~~Federal funds, to [sublease] make grants for approved capital~~
3 ~~projects [leased from the authority] to a local transportation~~
4 ~~organization or a transportation company, [subject to section 11~~
5 ~~(b) of "The Pennsylvania Transportation Assistance Authority Act~~
6 ~~of 1967,"] including the acquisition, construction,~~
7 ~~reconstruction, and improvement of facilities and equipment,~~
8 ~~[including land (but not public highways),] buses and other~~
9 ~~rolling stock, and other real or personal property, including~~
10 ~~land (but not public highways), needed for an efficient and~~
11 ~~coordinated mass transportation system for use, by operation,~~
12 ~~lease or otherwise, in urban common carrier mass transportation~~
13 ~~service and in coordinating such service with highway and other~~
14 ~~transportation. No [lease of a] capital project [from the~~
15 ~~authority] grant shall be made for the purpose of financing,~~
16 ~~directly or indirectly, the acquisition of any interest in, or~~
17 ~~the purchase of any facilities or other property of, a private~~
18 ~~urban common carrier mass transportation company. Each [lease~~
19 ~~from the authority] capital project shall be based on a program~~
20 ~~or plan approved by the department. [The amount of authority~~
21 ~~funds used for any such leased] No capital project grant shall~~
22 ~~[not] exceed one sixth of the "Net Project Cost," subject,~~
23 ~~however, to the following specific exceptions:~~

24 ~~(i) if two or more capital projects [of the department] are~~
25 ~~combined for financing purposes, the amount of [authority]~~
26 ~~department funds used for [a leased project] any one of such~~
27 ~~projects may exceed one sixth of the "Net Project Cost" provided~~
28 ~~that the total amount of [the authority] department funds~~
29 ~~provided for all the projects [of the department] so combined~~
30 ~~does not exceed one sixth of the total "Net Project Costs" of~~

1 ~~all of the projects so combined.~~

2 ~~[(ii) if a project is eligible to receive Federal financial~~
3 ~~assistance under the Federal "Urban Mass Transportation Act of~~
4 ~~1964," as amended, and if the Federal grant for that project is~~
5 ~~limited to one half of the "Net Project Cost" as provided by~~
6 ~~section 5, of that act, pending the completion within a three-~~
7 ~~year period of the planning requirements specified by section 4~~
8 ~~(a) of that act, and if the department has determined that the~~
9 ~~project is essential and should proceed without delay, the~~
10 ~~authority funds for that leased project may be increased~~
11 ~~temporarily to an amount not to exceed one fourth of the "Net~~
12 ~~Project Cost," with the requirement that upon the making to the~~
13 ~~project of the additional Federal grant in an amount not to~~
14 ~~exceed one sixth of the "Net Project Cost," the amount of the~~
15 ~~authority funds used in excess of one sixth of the "Net Project~~
16 ~~Cost" be refunded to the authority or be applied as the~~
17 ~~authority may direct to help meet the authority's share of the~~
18 ~~cost of another project subject to the terms of any indenture or~~
19 ~~bond resolution of the authority.].~~

20 ~~(iii) if a capital project is eligible to receive Federal~~
21 ~~financial assistance under the Federal "Urban Mass~~
22 ~~Transportation Act of 1964," as amended, and if the project~~
23 ~~application for such Federal financial assistance has been~~
24 ~~rejected or delayed because of a lack of Federal funds or if the~~
25 ~~normal amount of Federal grant cannot be provided because of a~~
26 ~~lack of Federal funds, and if the department has determined that~~
27 ~~the capital project is essential and should proceed without~~
28 ~~delay, [the authority] department funds for [that leased] such~~
29 ~~capital project may be increased temporarily to an amount not to~~
30 ~~exceed five sixths of the "Net Project Cost" so long as the~~

1 funds provided from local sources shall equal at least one sixth
2 of the "Net Project Cost," with the requirement that upon the
3 availability of additional Federal funds and the making to the
4 capital project of a new or an additional Federal grant, the
5 amount of [the authority] department funds in excess of one
6 sixth of the "Net Project Cost" be refunded to the [authority]
7 department or be applied as the [authority] department may
8 direct to help meet the [authority's] department's share of the
9 cost of another project, [subject to the terms of any indenture
10 or bond resolution of the authority] in which the department is
11 a participant.

12 (iv) ~~if a project is ineligible to receive Federal financial~~
13 ~~assistance under the Federal "Urban Mass Transportation Act of~~
14 ~~1964," as amended, and if the department has determined that the~~
15 ~~project is essential and should proceed without delay, the~~
16 ~~amount of [authority] department funds for [that leased] such~~
17 ~~project shall be limited to an amount not to exceed one half of~~
18 ~~the "Net Project Cost."~~

19 (5) ~~To make grants to agencies and instrumentalities of the~~
20 ~~Commonwealth and to municipalities, counties, or other~~
21 ~~instrumentalities from the State Lottery Fund to pay estimated~~
22 ~~transit losses resulting from granting free service to persons~~
23 ~~sixty five years of age or older on common carrier mass~~
24 ~~transportation systems when such passage is by local public bus,~~
25 ~~trolley or subway elevated systems during nonpeak riding hours~~
26 ~~and on holidays and weekends. The department shall promulgate~~
27 ~~such rules and regulations as are necessary to carry out the~~
28 ~~purposes of this clause.~~

29 In counties where there does not now exist a mass
30 transportation authority the department shall enter into

1 ~~agreements with private carriers, authorized to carry passengers~~
2 ~~for hire by the Public [Utilities] Utility Commission to carry~~
3 ~~out the purposes of this clause.~~

4 ~~Section 5. Grant Proposals. * * *~~

5 ~~(c) The department shall review the proposal and, if~~
6 ~~satisfied that the proposal is in accordance with the purposes~~
7 ~~of this act, shall[, with the approval of the Governor,] enter~~
8 ~~into a grant agreement subject to the condition that the grant~~
9 ~~be used in accordance with the terms of the proposal.~~

10 ~~* * *~~

11 ~~Section 7. Cooperation with Other [Agencies.] Governments~~

12 ~~and Private Interests. (a) The department is directed to~~
13 ~~administer this program with such flexibility as to permit full~~
14 ~~cooperation between Federal, State and local governments,~~
15 ~~agencies and instrumentalities, as well as private interests, so~~
16 ~~as to result in as effective and economical a program as~~
17 ~~possible.~~

18 ~~(b) The department is hereby authorized to enter into~~
19 ~~agreements providing for mutual cooperation between or among it~~
20 ~~and any Federal agency, local transportation organization or~~
21 ~~transportation company, concerning any or all projects,~~
22 ~~including joint applications for Federal grants.~~

23 ~~(c) It is the purpose and intent of this act to authorize~~
24 ~~the department to do any and all other things necessary or~~
25 ~~desirable to secure the financial aid or cooperation of any~~
26 ~~Federal agency in any of the department's projects, and to do~~
27 ~~and perform all things which may be required by any statute of~~
28 ~~the United States of America or by the lawful requirements of~~
29 ~~any Federal agency authorized to administer any program of~~
30 ~~Federal aid to transportation.~~

1 ~~Section 3. (a) All allocations, appropriations, agreements,~~
2 ~~leases, claims, demands and causes of action of any nature~~
3 ~~whether or not subject to litigation on the date of this act,~~
4 ~~equipment, files, records, classified data files, maps, air~~
5 ~~photographs and other material which are used, employed or~~
6 ~~expended in connection with the duties, powers or functions of~~
7 ~~the Pennsylvania Transportation Assistance Authority are hereby~~
8 ~~transferred to the Department of Transportation with the same~~
9 ~~force and effect as if the appropriations had been made to and~~
10 ~~said items had been the property of the Department of~~
11 ~~Transportation in the first instance and as if said contracts,~~
12 ~~agreements, leases and obligations had been incurred or entered~~
13 ~~into by the Department of Transportation.~~

14 ~~(b) The power to allocate excess funds from one project to~~
15 ~~another, given to the Pennsylvania Transportation Assistance~~
16 ~~Authority in the following acts is hereby transferred to the~~
17 ~~Department of Transportation, subject to the approval of the~~
18 ~~Secretary of the Budget:~~

19 ~~(1) Section 2, act of April 13, 1976 (P.L.97, No.42),~~
20 ~~entitled "A supplement to the act of October 18, 1975 (P.L.408,~~
21 ~~No.112), entitled 'An act providing for the capital budget for~~
22 ~~the fiscal year 1975-1976,' itemizing a transportation~~
23 ~~assistance project to be acquired or constructed by The~~
24 ~~Pennsylvania Transportation Assistance Authority together with~~
25 ~~its estimated financial cost; authorizing the incurring of debt~~
26 ~~without the approval of the electors for the purpose of~~
27 ~~financing the project, stating the estimated useful life of the~~
28 ~~project, and making an appropriation."~~

29 ~~(2) Section 2, act of July 9, 1976 (P.L.570, No.138),~~
30 ~~entitled "A supplement to the act of July 9, 1976 (P.L.123,~~

~~No.54), entitled 'An act providing for the capital budget for the fiscal year 1976-1977,' itemizing transportation assistance projects to be acquired or constructed by The Pennsylvania Transportation Assistance Authority together with their estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects, stating the estimated useful life of the projects, and making an appropriation."~~

~~(3) Section 2, act of September 28, 1978 (P.L.811, No.159), entitled "A supplement to the act of September 28, 1978 (P.L.787, No.151), entitled 'An act providing for the capital budget for the fiscal year 1978-1979,' itemizing transportation assistance projects to be acquired or constructed by the Pennsylvania Transportation Assistance Authority together with their estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects, stating the estimated useful life of the projects, and making an appropriation."~~

~~Section 4. The act of January 22, 1968 (P.L.27, No.7), known as the "Pennsylvania Transportation Assistance Authority Act of 1967," is repealed.~~

~~Section 5. This act shall take effect immediately.~~

SECTION 1. THE TITLE, ACT OF JANUARY 22, 1968 (1967 P.L.42, NO.8), KNOWN AS THE "PENNSYLVANIA URBAN MASS TRANSPORTATION ASSISTANCE LAW OF 1967," IS AMENDED TO READ: <—

AN ACT
EMPOWERING AND AUTHORIZING THE DEPARTMENT OF [COMMUNITY AFFAIRS]
TRANSPORTATION TO ESTABLISH AND ADMINISTER CERTAIN GRANT
PROGRAMS FOR THE BETTERMENT OF MASS TRANSPORTATION SYSTEMS
AND FACILITIES THROUGHOUT THE COMMONWEALTH; PROVIDING FOR

1 STATE GRANTS TO TRANSPORTATION COMPANIES, MUNICIPALITIES,
2 COUNTIES, OR THEIR INSTRUMENTALITIES AND TO AGENCIES AND
3 INSTRUMENTALITIES OF THE COMMONWEALTH FOR STUDIES, RESEARCH,
4 DEMONSTRATION PROGRAMS, PROMOTION PROGRAMS, PURCHASE OF
5 SERVICE PROJECTS, AND CAPITAL IMPROVEMENT PROJECTS UNDER
6 CERTAIN CONDITIONS; AUTHORIZING GRANTS BY COUNTIES OR
7 MUNICIPALITIES IN METROPOLITAN AREAS TO LOCAL TRANSPORTATION
8 ORGANIZATIONS, AUTHORIZING THE CREATION OF A TRANSPORTATION
9 AUTHORITY TO FUNCTION IN EACH METROPOLITAN AREA CONSISTING OF
10 ANY COUNTY OF THE FIRST CLASS AND ALL NEARBY COUNTIES WITHIN
11 A RADIUS OF TWENTY MILES OF ANY SUCH FIRST CLASS COUNTY, AS A
12 BODY CORPORATE AND POLITIC FOR THE PURPOSE OF ESTABLISHING AN
13 INTEGRATED MASS TRANSPORTATION SYSTEM WITH ALL PERTINENT
14 POWERS INCLUDING, BUT NOT LIMITED TO, LEASING, ACQUIRING,
15 OWNING, OPERATING AND MAINTAINING A SYSTEM FOR, OR OTHERWISE
16 PROVIDING FOR, THE TRANSPORTATION OF PERSONS, AUTHORIZING THE
17 BORROWING OF MONEY AND ISSUANCE OF BONDS THEREFOR, CONFERRING
18 THE RIGHT OF EMINENT DOMAIN ON THE AUTHORITY; ALTERING THE
19 JURISDICTION OF THE PUBLIC UTILITY COMMISSION, AUTHORIZING
20 THE ACCEPTANCE OF GRANTS FROM FEDERAL, STATE AND LOCAL
21 GOVERNMENTS, LIMITING ACTIONS AGAINST THE AUTHORITY AND
22 EXEMPTING IT FROM TAXATION, AUTHORIZING COUNTIES AND
23 MUNICIPALITIES TO ENTER INTO COMPACTS FOR THE FINANCING OF
24 EACH AUTHORITY AND TO MAKE APPROPRIATIONS IN ACCORDANCE WITH
25 SUCH COMPACTS, CREATING A CITIZEN ADVISORY COMMITTEE,
26 CONFERRING EXCLUSIVE JURISDICTION UPON CERTAIN COURTS WITH
27 RESPECT TO MATTERS RELATING TO SUCH AUTHORITY, EMPOWERING
28 EACH AUTHORITY TO FUNCTION OUTSIDE OF THE METROPOLITAN AREA
29 UNDER CERTAIN TERMS AND CONDITIONS.

30 SECTION 2. SECTIONS 1 THROUGH 12 OF THE ACT ARE REPEALED.

SECTION 3. THE ACT IS AMENDED BY ADDING ARTICLES TO READ:

ARTICLE I

PRELIMINARY PROVISIONS

SECTION 101. SHORT TITLE.--THIS ACT SHALL BE KNOWN AND MAY
BE CITED AS THE "PENNSYLVANIA URBAN MASS TRANSPORTATION LAW."

ARTICLE ~~I~~ II

URBAN MASS TRANSPORTATION ASSISTANCE

~~SECTION 101. SHORT TITLE. THIS ARTICLE SHALL BE KNOWN AND
MAY BE CITED AS THE "PENNSYLVANIA URBAN MASS TRANSPORTATION
ASSISTANCE LAW."~~

SECTION ~~102~~ 201. FINDINGS AND DECLARATION OF POLICY.--(A)
IT IS HEREBY DETERMINED AND DECLARED AS A MATTER OF LEGISLATIVE
FINDING:

(1) THAT THE WELFARE AND VITALITY OF URBAN AREAS IN THE
COMMONWEALTH, THE SATISFACTORY MOVEMENT OF PEOPLE AND GOODS
WITHIN SUCH AREAS, AND THE EFFECTIVENESS OF HOUSING, URBAN
RENEWAL, HIGHWAY, INDUSTRIAL DEVELOPMENT, AND OTHER PROGRAMS ARE
BEING JEOPARDIZED BY THE DETERIORATION OR INADEQUATE PROVISION
OF URBAN COMMON CARRIER MASS TRANSPORTATION FACILITIES AND
SERVICES, THE INTENSIFICATION OF TRAFFIC CONGESTION, AND THE
LACK OF COORDINATED TRANSPORTATION AND OTHER DEVELOPMENT
PLANNING ON A COMPREHENSIVE AND CONTINUING BASIS.

(2) THAT STATE FINANCIAL ASSISTANCE FOR THE DEVELOPMENT OF
EFFICIENT AND COORDINATED URBAN COMMON CARRIER MASS
TRANSPORTATION SYSTEMS, FACILITIES AND SERVICES IS ESSENTIAL TO
THE SOLUTION OF THESE URBAN PROBLEMS.

(3) THAT EFFICIENT AND COORDINATED URBAN COMMON CARRIER MASS
TRANSPORTATION SYSTEMS, FACILITIES AND SERVICES WILL PROMOTE THE
PUBLIC HEALTH, SAFETY, CONVENIENCE AND WELFARE.

(B) THEREFORE, IT IS HEREBY DECLARED TO BE THE POLICY OF THE

GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA TO PROMOTE
THE HEALTH, SAFETY, CONVENIENCE AND WELFARE OF ITS INHABITANTS
THROUGH THE DEPARTMENT BY MEANS OF STATE FINANCIAL ASSISTANCE
FOR THE DEVELOPMENT OF EFFICIENT AND COORDINATED URBAN COMMON
CARRIER MASS TRANSPORTATION SYSTEMS, FACILITIES AND SERVICES AND
TO PROVIDE FREE OR REDUCED TRANSIT SERVICE FOR THE ELDERLY. SUCH
PURPOSES ARE HEREBY DECLARED TO BE PUBLIC USES FOR WHICH STATE
MONEYS MAY BE SPENT.

SECTION ~~103~~ 202. DEFINITIONS.--THE FOLLOWING TERMS, WHENEVER
USED OR REFERRED TO IN THIS ACT ARTICLE, SHALL HAVE THE
FOLLOWING MEANINGS, EXCEPT IN THOSE INSTANCES WHERE THE CONTEXT
CLEARLY INDICATES A DIFFERENT MEANING:

"AVERAGE FARE" SHALL BE DEFINED AS TOTAL PASSENGER REVENUE
DIVIDED BY THE TOTAL LINKED PASSENGER TRIPS EXCLUDING TRIPS BY
SENIOR CITIZENS PARTICIPATING IN THE FREE TRANSIT PROGRAM FOR
SENIOR CITIZENS.

"CAPITAL PROJECT" SHALL MEAN AND INCLUDE ANY SYSTEM OF PUBLIC
PASSENGER OR PUBLIC PASSENGER AND RAIL TRANSPORTATION, INCLUDING
BUT NOT LIMITED TO ANY RAILWAY, STREET RAILWAY, SUBWAY, ELEVATED
AND MONORAIL PASSENGER OR PASSENGER AND RAIL ROLLING STOCK,
INCLUDING SELF-PROPELLED AND GALLERY CARS, LOCOMOTIVES,
PASSENGER BUSES AND WIRES, POLES AND EQUIPMENT FOR THE
ELECTRIFICATION OF ANY OF THE FOREGOING, RAILS, TRACKS,
ROADBEDS, GUIDEWAYS, ELEVATED STRUCTURES, BUILDINGS, STATIONS,
TERMINALS, DOCKS, SHELTERS, AIRPORTS AND PARKING AREAS FOR USE
IN CONNECTION WITH PUBLIC PASSENGER OR PUBLIC PASSENGER AND RAIL
TRANSPORTATION SYSTEMS, INTERCONNECTING LINES AND TUNNELS TO
PROVIDE PASSENGER OR PASSENGER AND RAIL SERVICE CONNECTIONS
BETWEEN TRANSPORTATION SYSTEMS, TRANSPORTATION ROUTES,
CORRIDORS, AND RIGHTS-OF-WAY FOR ANY THEREOF (BUT NOT FOR PUBLIC

1 HIGHWAYS), SIGNAL AND COMMUNICATION SYSTEMS NECESSARY OR
2 DESIRABLE FOR THE CONSTRUCTION, OPERATION OR IMPROVEMENT OF THE
3 PUBLIC PASSENGER OR PASSENGER AND RAIL TRANSPORTATION SYSTEM
4 INVOLVED, OR ANY IMPROVEMENT OF OR EQUIPMENT OR FURNISHINGS FOR
5 ANY OF THE FOREGOING OR ANY PART, OR FRACTIONAL AND UNDIVIDED
6 CO-OWNERSHIP INTEREST IN ANY ONE OR COMBINATION OF ANY OF THE
7 FOREGOING, THAT MAY BE DESIGNATED AS A CAPITAL PROJECT BY THE
8 SECRETARY.

9 "CONSTRUCTION" SHALL MEAN AND INCLUDE ACQUISITION AND
10 CONSTRUCTION AND THE TERM "TO CONSTRUCT" SHALL MEAN AND INCLUDE
11 TO ACQUIRE AND TO CONSTRUCT, ALL IN SUCH MANNER AS MAY BE DEEMED
12 DESIRABLE.

13 "COUNTIES" SHALL INCLUDE ANY COUNTY.

14 "DEPARTMENT" SHALL MEAN THE DEPARTMENT OF TRANSPORTATION.

15 "EQUIPMENT" AND "FURNISHINGS" SHALL MEAN AND INCLUDE ANY
16 EQUIPMENT AND FURNISHINGS WHATSOEVER AS MAY BE DEEMED DESIRABLE
17 AND REQUIRED FOR A CAPITAL PROJECT AND APPROVED BY THE
18 DEPARTMENT FOR THE USE AND OCCUPANCY OF SUCH CAPITAL PROJECT,
19 AND THE TERMS "TO EQUIP" OR "TO FURNISH" SHALL MEAN AND INCLUDE
20 THE INSTALLATION OF SUCH EQUIPMENT AND FURNISHINGS.

21 "FEDERAL AGENCY" SHALL MEAN AND INCLUDE THE UNITED STATES OF
22 AMERICA, THE PRESIDENT OF THE UNITED STATES OF AMERICA, AND ANY
23 DEPARTMENT OF, OR CORPORATION, AGENCY OR INSTRUMENTALITY
24 HERETOFORE OR HEREAFTER CREATED, DESIGNATED OR ESTABLISHED BY
25 THE UNITED STATES OF AMERICA.

26 "FIXED ROUTE PUBLIC TRANSPORTATION SERVICES" SHALL INCLUDE
27 REGULARLY SCHEDULED TRANSPORTATION THAT IS AVAILABLE TO THE
28 GENERAL PUBLIC, AND IS PROVIDED ACCORDING TO PUBLISHED SCHEDULES
29 ALONG DESIGNATED PUBLISHED ROUTES WITH SPECIFIED STOPPING POINTS
30 FOR THE TAKING ON AND DISCHARGING OF PASSENGERS. (ELIGIBLE

SERVICES INCLUDE PUBLIC BUS AND COMMUTER RAIL SYSTEMS.) EXCLUDED FROM THIS DEFINITION ARE EXCLUSIVE RIDE TAXI SERVICE; CHARTER OR SIGHTSEEING SERVICES; NONPUBLIC TRANSPORTATION; SCHOOL BUS OR LIMOUSINE SERVICES.

"IMPROVEMENT" SHALL MEAN AND INCLUDE EXTENSION, ENLARGEMENT, EQUIPPING, FURNISHING AND IMPROVEMENT, AND THE TERM "TO IMPROVE" SHALL MEAN AND INCLUDE TO EXTEND, TO ENLARGE, TO EQUIP, TO FURNISH AND TO IMPROVE, ALL IN SUCH MANNER AS MAY BE DEEMED DESIRABLE.

"LINKED PASSENGER TRIPS" SHALL MEAN AND INCLUDE TRANSIT TRIPS TAKEN BY INITIALLY BOARDING (ORIGINATING) PATRONS PAYING A FULL FARE, ANY REDUCED FARE OR NO FARE (FREE FARE) BUT SHALL NOT MEAN AND SHALL EXCLUDE ALL TRANSFER RIDES AND ALL CHARTER RIDES.

"LOCAL TRANSPORTATION ORGANIZATION" SHALL MEAN ANY POLITICAL SUBDIVISION OR ANY MASS TRANSPORTATION ~~OR PORT AUTHORITY, PORT,~~ REDEVELOPMENT OR AIRPORT AUTHORITY NOW OR HEREAFTER ORGANIZED UNDER THE LAW OF PENNSYLVANIA OR PURSUANT TO AN INTERSTATE COMPACT OR OTHERWISE EMPOWERED TO RENDER TRANSPORTATION SERVICE OR ASSIST IN THE RENDERING OF TRANSPORTATION SERVICE IN A LIMITED AREA IN THE COMMONWEALTH OF PENNSYLVANIA, EVEN THOUGH IT MAY ALSO RENDER OR ASSIST IN RENDERING TRANSPORTATION SERVICE IN ADJACENT STATES.

"MUNICIPALITIES" SHALL INCLUDE ANY CITY, BOROUGH, TOWNSHIP, INCORPORATED TOWN OR TOWN.

"PERSON" SHALL MEAN AND INCLUDE NATURAL PERSONS, FIRMS, ASSOCIATIONS, CORPORATIONS, BUSINESS TRUSTS, PARTNERSHIPS AND PUBLIC BODIES, INCLUDING LOCAL TRANSPORTATION ORGANIZATIONS.

"PROJECT GRANT" SHALL MEAN AND INCLUDE THE COMMONWEALTH'S SHARE OF THE COST OF CARRYING OUT THE PARTICULAR PROJECT, WHICH COST MAY INCLUDE COSTS INCURRED PRIOR TO THE EFFECTIVE DATE OF

<—

1 THIS ~~ACT~~ ARTICLE AND WHICH COST SHALL INCLUDE AN APPROPRIATE
2 ALLOWANCE FOR THE ADMINISTRATIVE EXPENSES INVOLVED IN CARRYING
3 OUT THE PROJECT.

4 "PROPERTY" SHALL MEAN ALL PROPERTY, REAL, PERSONAL OR MIXED,
5 TANGIBLE OR INTANGIBLE OR ANY INTEREST THEREIN INCLUDING
6 FRACTIONAL AND UNDIVIDED CO-OWNERSHIP INTERESTS.

7 "PUBLIC HIGHWAY" SHALL MEAN EVERY WAY OR PLACE, OF WHATEVER
8 NATURE, OPEN TO THE USE OF THE PUBLIC AS A MATTER OF RIGHT, FOR
9 PURPOSES OF VEHICULAR TRAVEL. THE TERM "PUBLIC HIGHWAY" SOLELY
10 FOR THE PURPOSE OF ADMINISTERING THIS ~~ACT~~ ARTICLE SHALL NOT BE <—
11 DEEMED TO INCLUDE A BRIDGE LOCATED WHOLLY WITHIN THIS
12 COMMONWEALTH WHICH IS OPEN TO THE USE OF THE PUBLIC FOR THE
13 PURPOSE OF VEHICULAR TRAFFIC BUT WHICH ON MARCH 15, 1964 WAS
14 OWNED AND MAINTAINED BY A MASS TRANSPORTATION OR PORT AUTHORITY
15 AND WHICH COMPRISES A PART OF THE TRANSPORTATION SYSTEM OF THE
16 MASS TRANSPORTATION OR PORT AUTHORITY.

17 "SECRETARY" SHALL MEAN THE SECRETARY OF TRANSPORTATION.

18 "SHARED RIDE PUBLIC TRANSPORTATION SERVICES" SHALL INCLUDE
19 DEMAND RESPONSIVE TRANSPORTATION THAT IS AVAILABLE TO THE
20 GENERAL PUBLIC, OPERATES ON A NONFIXED ROUTE BASIS AND CHARGES A
21 FARE TO ALL RIDERS. FOR TRANSPORTATION TO BE INCLUDED IN THIS
22 DEFINITION THE FIRST FARE PAYING PASSENGERS TO ENTER THE PUBLIC
23 TRANSPORTATION VEHICLE MUST NOT REFUSE TO SHARE THE VEHICLE WITH
24 OTHER PASSENGERS DURING A GIVEN TRIP. SERVICES EXCLUDED UNDER
25 THIS DEFINITION ARE: EXCLUSIVE RIDE TAX SERVICE; CHARTER AND
26 SIGHTSEEING SERVICES; NONPUBLIC TRANSPORTATION; SCHOOL BUS OR
27 LIMOUSINE SERVICES.

28 "TRANSIT VEHICLE" SHALL MEAN A SELF-PROPELLED OR ELECTRICALLY
29 PROPELLED VEHICLE DESIGNED FOR CARRYING FIFTEEN OR MORE
30 PASSENGERS, EXCLUSIVE OF THE DRIVER, OTHER THAN A TAXICAB,

1 DESIGNED AND USED FOR THE TRANSPORTATION OF PERSONS FOR
2 COMPENSATION INCLUDING, BUT NOT LIMITED TO, SUBWAY CARS,
3 TROLLEYS, TRACKLESS TROLLEYS AND RAILROAD PASSENGER CARS.

4 "TRANSPORTATION COMPANY" SHALL MEAN AND INCLUDE ANY PERSON,
5 FIRM OR CORPORATION RENDERING PUBLIC PASSENGER OR PUBLIC
6 PASSENGER AND RAIL TRANSPORTATION SERVICE, WITH OR WITHOUT THE
7 RENDERING OF OTHER SERVICE, IN THIS STATE PURSUANT TO COMMON
8 CARRIER AUTHORIZATION FROM THE PENNSYLVANIA PUBLIC UTILITY
9 COMMISSION OR THE INTERSTATE COMMERCE COMMISSION.

10 "URBAN COMMON CARRIER MASS TRANSPORTATION" SHALL INCLUDE
11 TRANSPORTATION WITHIN AN AREA THAT INCLUDES A MUNICIPALITY OR
12 OTHER BUILT-UP PLACE WHICH IS APPROPRIATE, IN THE JUDGMENT OF
13 THE DEPARTMENT, FOR A COMMON CARRIER TRANSPORTATION SYSTEM TO
14 SERVE COMMUTERS OR OTHERS IN THE LOCALITY, TAKING INTO
15 CONSIDERATION THE LOCAL PATTERNS AND TRENDS OF URBAN GROWTH, BY
16 BUS OR RAIL OR OTHER CONVEYANCE, EITHER PUBLICLY OR PRIVATELY
17 OWNED, SERVING THE GENERAL PUBLIC (BUT NOT INCLUDING SCHOOL
18 BUSES OR CHARTER OR SIGHTSEEING SERVICE). ~~AND MOVING OVER~~ <—
19 ~~PRESCRIBED ROUTES.~~

20 SECTION ~~104~~ 203. PROGRAM AUTHORIZATIONS.--THE DEPARTMENT IS <—
21 HEREBY AUTHORIZED, WITHIN THE LIMITATIONS HEREINAFTER PROVIDED
22 AND IS REQUIRED WHERE THE PROVISIONS OF SECTION ~~105~~ 204 APPLY: <—

23 (1) TO UNDERTAKE AND TO PROVIDE FINANCIAL SUPPORT FOR
24 RESEARCH, BY CONTRACT OR OTHERWISE, CONCERNING URBAN COMMON
25 CARRIER MASS TRANSPORTATION.

26 (2) TO MAKE PROJECT GRANTS TO MUNICIPALITIES, COUNTIES, OR
27 THEIR INSTRUMENTALITIES, AND TO AGENCIES AND INSTRUMENTALITIES
28 OF THE COMMONWEALTH TO SUPPLEMENT FEDERAL OR LOCAL OR FEDERAL
29 AND LOCAL FUNDS FOR USE:

30 (I) FOR THE PURPOSE OF STUDIES, ANALYSIS, PLANNING AND

1 DEVELOPMENT OF PROGRAMS FOR URBAN COMMON CARRIER MASS
2 TRANSPORTATION SERVICE AND FACILITIES, AND FOR THE PURPOSE OF
3 ACTIVITIES RELATED TO THE PLANNING, ENGINEERING, AND DESIGNING
4 OF SPECIFIC PROJECTS WHICH ARE A PART OF A COMPREHENSIVE PROGRAM
5 INCLUDING BUT NOT LIMITED TO ACTIVITIES SUCH AS STUDIES RELATED
6 TO MANAGEMENT, OPERATIONS, CAPITAL REQUIREMENTS, AND ECONOMIC
7 FEASIBILITY, TO THE PREPARATION OF ENGINEERING AND ARCHITECTURAL
8 SURVEYS, PLANS, AND SPECIFICATIONS, AND TO OTHER SIMILAR OR
9 RELATED ACTIVITIES PRELIMINARY TO AND IN PREPARATION FOR THE
10 CONSTRUCTION, ACQUISITION, OR IMPROVED OPERATION OF URBAN COMMON
11 CARRIER MASS TRANSPORTATION SYSTEMS, FACILITIES, AND EQUIPMENT.
12 STATE FUNDING UNDER THIS ~~SUBCLAUSE~~ SUBPARAGRAPH SHALL NOT EXCEED <—
13 EIGHTY PERCENT OR ONE-HALF OF THE NON-FEDERAL SHARE OF THE
14 PROJECT COSTS, WHICHEVER IS LESS.

15 (II) TO PROVIDE FOR RESEARCH, DEVELOPMENT AND DEMONSTRATION
16 PROJECTS IN ALL PHASES OF URBAN COMMON CARRIER MASS
17 TRANSPORTATION (INCLUDING THE DEVELOPMENT, TESTING AND
18 DEMONSTRATION OF NEW FACILITIES, EQUIPMENT, TECHNIQUES AND
19 METHODS) TO ASSIST IN THE SOLUTION OF URBAN TRANSPORTATION
20 PROBLEMS, IN THE IMPROVEMENT OF MASS TRANSPORTATION SERVICE, AND
21 THE CONTRIBUTION OF SUCH SERVICE TOWARD MEETING TOTAL URBAN
22 TRANSPORTATION NEEDS AT MINIMUM COST. STATE FUNDING UNDER THIS
23 ~~SUBCLAUSE~~ SUBPARAGRAPH SHALL NOT EXCEED EIGHTY PERCENT OR ONE- <—
24 HALF OF THE NON-FEDERAL SHARE OF THE PROJECT COSTS, WHICHEVER IS
25 LESS.

26 (III) TO ASSIST IN FINANCING PURCHASE OF SERVICE PROJECTS
27 DESIGNED TO CONTINUE NECESSARY SERVICE TO THE PUBLIC, TO PERMIT
28 NEEDED IMPROVEMENTS IN SERVICE WHICH ARE NOT SELF-SUPPORTING,
29 AND TO PERMIT SERVICE WHICH MAY BE SOCIALLY DESIRABLE BUT
30 ECONOMICALLY UNJUSTIFIED. EACH PROJECT AND PROJECT GRANT SHALL

1 BE SUBJECT TO AN ANNUAL REVIEW AND RENEWAL. STATE FUNDING UNDER
2 THIS ~~SUBCLAUSE~~ SUBPARAGRAPH SHALL NOT EXCEED THREE-FOURTHS OF <—
3 THE NON-FEDERAL SHARE OF PROJECT COSTS AS DEFINED BY THE
4 DEPARTMENT WHICH CANNOT, AS DETERMINED BY THE DEPARTMENT,
5 REASONABLY BE FINANCED FROM REVENUES. LOCAL OR PRIVATE FUNDING
6 SHALL EQUAL AT LEAST ONE-FOURTH OF THE NON-FEDERAL SHARE OF THE
7 PROJECT DEFICIT, AS DEFINED BY THE DEPARTMENT. THE METHODOLOGY
8 FOR CALCULATING THE ELIGIBLE DEFICIT OF APPLICANTS UNDER THIS
9 ~~SUBCLAUSE~~ SUBPARAGRAPH SHALL BE DETERMINED IN ACCORDANCE WITH <—
10 SECTION ~~105~~ 204. EACH PURCHASE OF SERVICE PROJECT GRANT SHALL BE <—
11 BASED ON A PROGRAM OR PLAN APPROVED BY THE DEPARTMENT AND
12 DETERMINED BY THE DEPARTMENT TO BE IN THE PUBLIC INTEREST AND TO
13 BE IN FURTHERANCE OF A COORDINATED MASS TRANSPORTATION PLAN FOR
14 THE AREA. NO STATE GRANT SHALL BE MADE FOR A PARTICULAR PURCHASE
15 OF SERVICE PROJECT THAT THE DEPARTMENT DETERMINES WILL INVOLVE
16 UNNECESSARY AND UNFAIR COMPETITION AND NO STATE GRANT SHALL BE
17 MADE FOR A PARTICULAR PURCHASE OF SERVICE PROJECT UNLESS THE
18 DEPARTMENT DETERMINES AND FINDS FOR SAID PROJECT THAT:

19 ~~(I)~~ (A) THE PURCHASE OF THE SERVICE PROJECT IS NECESSARY; <—
20 ~~(II)~~ (B) THE MASS TRANSPORTATION CARRIER IS TAKING OR WILL <—
21 TAKE CONTINUING ACTION TO IMPROVE THE SERVICE AND HOLD LOSSES TO
22 A MINIMUM.

23 (3) TO MAKE PROJECT GRANTS TO ANY TRANSPORTATION COMPANY OR
24 COMPANIES TO SUPPLEMENT FEDERAL, PRIVATE OR LOCAL OR FEDERAL AND
25 PRIVATE OR LOCAL FUNDS FOR USE IN FINANCING PURCHASE OF SERVICE
26 PROJECTS DESIGNED TO CONTINUE NECESSARY SERVICE TO THE PUBLIC,
27 TO PERMIT NEEDED IMPROVEMENTS IN SERVICES WHICH ARE NOT SELF-
28 SUPPORTING, AND TO PERMIT SERVICES WHICH MAY BE SOCIALLY
29 DESIRABLE BUT ECONOMICALLY UNJUSTIFIED. IN VIEW OF THE
30 PARTICULAR SENSITIVITY OF SPECIAL INSTRUMENTALITIES AND AGENCIES

1 OF THE COMMONWEALTH CREATED TO SERVE OR COORDINATE THE LOCAL
2 TRANSPORTATION NEEDS OF SUBSTANTIAL METROPOLITAN AREAS, NO
3 PROJECT FOR USE EXCLUSIVELY OR PRINCIPALLY IN THE LOCAL SERVICE
4 AREA OF ANY SUCH AGENCY OR INSTRUMENTALITY IN WHICH A CITY OR
5 COUNTY OF THE FIRST OR SECOND CLASS HAS MEMBERSHIP, SHALL
6 RECEIVE A PROJECT GRANT EXCEPT IN ACCORDANCE WITH A SYSTEM OF
7 PRIORITIES AGREED UPON BY THE DEPARTMENT AND SUCH AGENCY OR
8 INSTRUMENTALITY. IN THE CASE OF A PROJECT GRANT FOR A PROJECT TO
9 BE OPERATED EXCLUSIVELY OR PRINCIPALLY WITHIN THE LOCAL SERVICE
10 AREAS OF SUCH AGENCY OR INSTRUMENTALITY NO PROJECT GRANT SHALL
11 BE MADE EXCEPT IN ACCORDANCE WITH AGREEMENTS BY THE DEPARTMENT
12 AND SUCH AGENCY OR INSTRUMENTALITY WITH RESPECT TO SUCH USE. IN
13 THE CASE OF A PROJECT NOT FALLING WITHIN THE SCOPE OF THE
14 PRECEDING SENTENCE BUT COVERING USE BOTH WITHIN AND WITHOUT THE
15 LOCAL SERVICE AREA OF SUCH AGENCY OR INSTRUMENTALITY, THE
16 PROJECT GRANT SHALL REQUIRE THAT THE ROUTES, SCHEDULES, AND
17 FARES APPLICABLE ONLY WITHIN SUCH SERVICE AREAS SHALL BE THOSE
18 MUTUALLY AGREED UPON BY THE DEPARTMENT AND SUCH AGENCY OR
19 INSTRUMENTALITY. NO AGREEMENT REFERRED TO IN THIS ~~CLAUSE~~ <—
20 PARAGRAPH SHALL IMPAIR, SUSPEND, REDUCE, ENLARGE OR EXTEND OR
21 AFFECT IN ANY MANNER THE POWERS OF THE PENNSYLVANIA PUBLIC
22 UTILITY COMMISSION OR THE INTERSTATE COMMERCE COMMISSION
23 OTHERWISE APPLICABLE BY LAW. STATE FUNDING UNDER THIS ~~SUBCLAUSE~~ <—
24 PARAGRAPH SHALL NOT EXCEED THREE-FOURTHS OF THE NON-FEDERAL
25 SHARE OF PROJECT COSTS AS DEFINED BY THE DEPARTMENT WHICH
26 CANNOT, AS DETERMINED BY THE DEPARTMENT, REASONABLY BE FINANCED
27 FROM REVENUES. LOCAL OR PRIVATE FUNDING SHALL EQUAL AT LEAST
28 ONE-FOURTH OF THE NON-FEDERAL SHARE OF THE PROJECT DEFICIT, AS
29 DEFINED BY THE DEPARTMENT. THE METHODOLOGY FOR CALCULATING THE
30 ELIGIBLE DEFICIT OF APPLICANTS UNDER THIS ~~SUBCLAUSE~~ PARAGRAPH <—

1 SHALL BE DETERMINED IN ACCORDANCE WITH SECTION 105 204. EACH <—
2 PURCHASE OF SERVICE PROJECT GRANT SHALL BE BASED UPON A PROGRAM
3 OR PLAN APPROVED BY THE DEPARTMENT AND DETERMINED BY THE
4 DEPARTMENT TO BE IN THE PUBLIC INTEREST, TO BE IN FURTHERANCE OF
5 A COORDINATED MASS TRANSPORTATION PLAN FOR THE AREA, AND NOT TO
6 INVOLVE UNNECESSARY AND UNFAIR COMPETITION. NO STATE GRANT SHALL
7 BE MADE FOR A PARTICULAR PURCHASE OF

8 ~~NO STATE GRANT SHALL BE MADE FOR A PARTICULAR PURCHASE OF~~ <—
9 SERVICE PROJECT UNLESS THE DEPARTMENT DETERMINES AND FINDS FOR
10 SAID PROJECT THAT:

11 (I) THE PURCHASE OF SERVICE PROJECT IS NECESSARY IN THE
12 PUBLIC INTEREST; AND

13 (II) THE MASS TRANSPORTATION CARRIER IS TAKING OR WILL TAKE
14 CONTINUING ACTION TO IMPROVE THE SERVICE AND HOLD LOSSES TO A
15 MINIMUM.

16 (4) IN CONNECTION WITH PRIVATELY OR LOCALLY ASSISTED CAPITAL
17 PROJECTS OR CAPITAL PROJECTS FINANCED WITH PRIVATE OR LOCAL AND
18 FEDERAL FUNDS, TO MAKE GRANTS FOR APPROVED CAPITAL PROJECTS TO A
19 LOCAL TRANSPORTATION ORGANIZATION OR A TRANSPORTATION COMPANY,
20 INCLUDING THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, AND
21 IMPROVEMENT OF FACILITIES AND EQUIPMENT, BUSES AND OTHER ROLLING
22 STOCK, AND OTHER REAL OR PERSONAL PROPERTY, INCLUDING LAND (BUT
23 NOT PUBLIC HIGHWAYS), NEEDED FOR AN EFFICIENT AND COORDINATED
24 MASS TRANSPORTATION SYSTEM FOR USE, BY OPERATION, LEASE OR
25 OTHERWISE, IN URBAN COMMON CARRIER MASS TRANSPORTATION SERVICE
26 AND IN COORDINATING SUCH SERVICE WITH HIGHWAY AND OTHER
27 TRANSPORTATION. NO CAPITAL PROJECT GRANT SHALL BE MADE FOR THE
28 PURPOSE OF FINANCING, DIRECTLY OR INDIRECTLY, THE ACQUISITION OF
29 ANY INTEREST IN, OR THE PURCHASE OF ANY FACILITIES OR OTHER
30 PROPERTY OF, A PRIVATE URBAN COMMON CARRIER MASS TRANSPORTATION

1 COMPANY. EACH CAPITAL PROJECT SHALL BE BASED ON A PROGRAM OR
2 PLAN APPROVED BY THE DEPARTMENT. NO CAPITAL PROJECT GRANT SHALL
3 EXCEED ONE-SIXTH OF THE "NET PROJECT COST," SUBJECT, HOWEVER, TO
4 THE FOLLOWING SPECIFIC EXCEPTIONS:

5 (I) IF TWO OR MORE CAPITAL PROJECTS ARE COMBINED FOR
6 FINANCING PURPOSES, THE AMOUNT OF DEPARTMENT FUNDS USED FOR ANY
7 ONE OF SUCH PROJECTS MAY EXCEED ONE-SIXTH OF THE "NET PROJECT
8 COST" PROVIDED THAT THE TOTAL AMOUNT OF DEPARTMENT FUNDS
9 PROVIDED FOR ALL THE PROJECTS SO COMBINED DOES NOT EXCEED ONE-
10 SIXTH OF THE TOTAL "NET PROJECT COSTS" OF ALL OF THE PROJECTS SO
11 COMBINED.

12 (II) IF A CAPITAL PROJECT IS ELIGIBLE TO RECEIVE FEDERAL
13 FINANCIAL ASSISTANCE UNDER THE FEDERAL URBAN MASS TRANSPORTATION
14 ACT OF 1964, AS AMENDED, AND IF THE PROJECT APPLICATION FOR SUCH
15 FEDERAL FINANCIAL ASSISTANCE HAS BEEN REJECTED OR DELAYED
16 BECAUSE OF A LACK OF FEDERAL FUNDS OR IF THE NORMAL AMOUNT OF
17 FEDERAL GRANT CANNOT BE PROVIDED BECAUSE OF A LACK OF FEDERAL
18 FUNDS, AND IF THE DEPARTMENT HAS DETERMINED THAT THE CAPITAL
19 PROJECT IS ESSENTIAL AND SHOULD PROCEED WITHOUT DELAY,
20 DEPARTMENT FUNDS FOR SUCH CAPITAL PROJECT MAY BE INCREASED
21 TEMPORARILY TO AN AMOUNT NOT TO EXCEED FIVE-SIXTHS OF THE "NET
22 PROJECT COST" SO LONG AS THE FUNDS PROVIDED FROM LOCAL SOURCES
23 SHALL EQUAL AT LEAST ONE-SIXTH OF THE "NET PROJECT COST," WITH
24 THE REQUIREMENT THAT UPON THE AVAILABILITY OF ADDITIONAL FEDERAL
25 FUNDS AND THE MAKING TO THE CAPITAL PROJECT OF A NEW OR AN
26 ADDITIONAL FEDERAL GRANT, THE AMOUNT OF DEPARTMENT FUNDS IN
27 EXCESS OF ONE-SIXTH OF THE "NET PROJECT COST" BE REFUNDED TO THE
28 DEPARTMENT OR BE APPLIED AS THE DEPARTMENT MAY DIRECT TO HELP
29 MEET THE DEPARTMENT'S SHARE OF THE COST OF ANOTHER PROJECT, IN
30 WHICH THE DEPARTMENT IS A PARTICIPANT.

1 (III) IF A PROJECT IS INELIGIBLE TO RECEIVE FEDERAL
2 FINANCIAL ASSISTANCE UNDER THE FEDERAL URBAN MASS TRANSPORTATION
3 ACT OF 1964, AS AMENDED, AND IF THE DEPARTMENT HAS DETERMINED
4 THAT THE PROJECT IS ESSENTIAL AND SHOULD PROCEED WITHOUT DELAY,
5 THE AMOUNT OF DEPARTMENT FUNDS FOR SUCH PROJECT SHALL BE LIMITED
6 TO AN AMOUNT NOT TO EXCEED ONE-HALF OF THE "NET PROJECT COST."

7 (5) TO MAKE GRANTS TO TRANSPORTATION COMPANIES AND LOCAL
8 TRANSPORTATION ORGANIZATIONS FROM THE STATE LOTTERY FUND TO PAY
9 ESTIMATED TRANSIT LOSSES RESULTING FROM GRANTING ON LOCAL COMMON
10 CARRIER MASS TRANSPORTATION SYSTEMS:

11 (I) FREE SERVICE TO PERSONS SIXTY-FIVE YEARS OF AGE AND
12 OLDER WHEN SUCH PASSAGE IS ON FIXED ROUTE PUBLIC TRANSPORTATION
13 SERVICES DURING NONPEAK RIDING HOURS AND ON HOLIDAYS AND
14 WEEKENDS;

15 (II) REDUCED FARE SERVICES TO PERSONS SIXTY-FIVE YEARS OF
16 AGE OR OLDER WHEN SUCH PASSAGE IS ON SHARED RIDE PUBLIC
17 TRANSPORTATION SERVICES DURING REGULAR HOURS OF OPERATION. ON
18 FIXED ROUTE PUBLIC TRANSPORTATION SERVICE, LOSSES ARE
19 REIMBURSABLE AT SEVENTY-FIVE PERCENT OF THE TRANSIT SYSTEM'S
20 AVERAGE FARE MULTIPLIED BY THE NUMBER OF TRIPS MADE BY SENIOR
21 CITIZENS PARTICIPATING IN THE FREE TRANSIT PROGRAM. ON SHARED
22 PUBLIC TRANSPORTATION SERVICES, LOSSES ARE REIMBURSABLE ONLY IF
23 THE ELDERLY PERSON PAYS 25¢ OR TWENTY-FIVE PERCENT OF THE COST
24 OF THE INDIVIDUAL FARE WHICHEVER IS GREATER. THE DEPARTMENT
25 SHALL PROMULGATE SUCH RULES AND REGULATIONS AS ARE NECESSARY TO
26 CARRY OUT THE PURPOSES OF THIS ~~CLAU~~SE SUBPARAGRAPH. IN
27 ACCORDANCE WITH SECTION 2203-A(27) OF THE ACT OF APRIL 9, 1929
28 (P.L.177, NO.175), KNOWN AS "THE ADMINISTRATIVE CODE OF 1929,"
29 NO SUCH REGULATION SHALL TAKE EFFECT UNTIL THEY ARE SUBMITTED TO
30 THE DEPARTMENT OF AGING FOR COMMENT.

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1 SECTION ~~105~~ 204. ANNUAL APPROPRIATION, COMPUTATION OF <—
2 SUBSIDY.--(A) THE COMMONWEALTH SHALL ANNUALLY DETERMINE THE
3 LEVEL OF APPROPRIATION FOR URBAN COMMON CARRIER MASS
4 TRANSPORTATION ASSISTANCE, USING THE STANDARDS CONTAINED IN THIS
5 SECTION, TO SUFFICIENTLY FUND AND TO MAKE FULLY OPERATIVE
6 SECTION ~~104~~ 203(2)(III) AND ~~104~~(3). <—

7 (B) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE TO THE
8 DEPARTMENT FOR DISTRIBUTION AN AMOUNT BASED UPON THE INDIVIDUAL
9 PROJECTED SUBSIDIES OF THE LOCAL TRANSPORTATION ORGANIZATIONS OR
10 TRANSPORTATION COMPANIES PARTICIPATING IN THE PROGRAM. EACH
11 LOCAL TRANSPORTATION ORGANIZATION AND TRANSPORTATION COMPANY
12 SHALL BE ENTITLED TO RECEIVE A STATE SUBSIDY OF AT LEAST TWO-
13 THIRDS BUT NOT MORE THAN THREE-QUARTERS OF ITS CONSTRAINED
14 DEFICIT.

15 (C) THE CONSTRAINED DEFICIT SHALL BE AN AMOUNT EQUAL TO
16 ELIGIBLE OPERATING COSTS REDUCED BY ASSUMED REVENUES AND FEDERAL
17 OPERATING SUBSIDIES. FOR PURPOSES OF THIS SUBSECTION:

18 (1) ELIGIBLE OPERATING COSTS FOR THE BUDGET YEAR SHALL NOT
19 EXCEED THE PRIOR YEAR'S OPERATING COSTS FOR THE SAME LEVEL OF
20 SERVICE INCREASED BY A PERCENTAGE EQUAL TO THE PERCENTAGE
21 INCREASE IN OPERATING COSTS FOR ALL LOCAL TRANSPORTATION
22 ORGANIZATIONS AND TRANSPORTATION COMPANIES FOR THE MOST RECENTLY
23 COMPLETED STATE FISCAL YEAR AS COMPARED TO THE FISCAL YEAR
24 IMMEDIATELY PRECEDING SUCH YEAR PLUS FIFTEEN PERCENT OF SUCH
25 INCREASE.

26 (2) (I) ASSUMED REVENUES SHALL BE A PERCENTAGE OF ELIGIBLE <—
27 OPERATING COSTS AS DETERMINED BY REFERENCE TO THE FOLLOWING
28 TABLE:

29	<u>FISCAL YEAR</u>	<u>(A)</u>	<u>(B)</u>
30	<u>1980-81</u>	<u>44%</u>	<u>34%</u>

1	1981-82	42%	32%
2	1982-83	40%	30%
3	1983-84	38%	28%
4	1984-85	36%	26%
5	<u>1980-81</u>	<u>48%</u>	<u>38%</u>
6	<u>1981-82</u>	<u>48%</u>	<u>38%</u>
7	<u>1982-83</u>	<u>46%</u>	<u>36%</u>
8	<u>1983-84</u>	<u>44%</u>	<u>34%</u>
9	<u>1984-85</u>	<u>42%</u>	<u>32%</u>

10 WHERE (II) COLUMN (A) IS TO BE USED FOR LOCAL TRANSPORTATION <—
11 ORGANIZATIONS OR TRANSPORTATION COMPANIES OPERATING MORE THAN
12 TWENTY TRANSIT VEHICLES IN THE PEAK PERIOD AND COLUMN (B) IS TO
13 BE USED FOR LOCAL TRANSPORTATION ORGANIZATIONS OR TRANSPORTATION
14 COMPANIES OPERATING TWENTY OR FEWER TRANSIT VEHICLES IN THE PEAK
15 PERIOD.

16 (III) IN ANY CASE WHERE A LOCAL TRANSPORTATION ORGANIZATION <—
17 OR TRANSPORTATION COMPANY INCREASES OR DECREASES THE NUMBER OF
18 TRANSIT VEHICLES OPERATING DURING THE PEAK PERIOD SO AS TO MOVE
19 FROM COLUMN (B) TO COLUMN (A) OR FROM COLUMN (A) TO COLUMN (B)
20 THE DEPARTMENT MAY MAKE APPROPRIATE ADJUSTMENTS REGARDING
21 ASSUMED REVENUES DURING A REASONABLE PERIOD FOLLOWING SUCH
22 INCREASE OR DECREASE.

23 (3) FEDERAL OPERATING SUBSIDIES SHALL MEAN THE TOTAL
24 OPERATING ASSISTANCE FUNDS IN THE BUDGET YEAR TO WHICH THE <—
25 ELIGIBLE GRANTEE IS ENTITLED ACTUALLY RECEIVES UNDER THE FEDERAL <—
26 URBAN MASS TRANSPORTATION ACT OF 1964, PUBLIC LAW 88-365 (49
27 U.S.C. § 1601, ET SEQ.) OR ANY OTHER FEDERAL LAW.

28 (D) THE BASIC SUBSIDY FOR WHICH EACH LOCAL TRANSPORTATION
29 ORGANIZATION OR TRANSPORTATION COMPANY SHALL BE ENTITLED SHALL
30 BE EQUAL TO SIXTY-SIX AND TWO-THIRDS PERCENT OF ITS CONSTRAINED

1 DEFICIT.

2 (E) EACH LOCAL TRANSPORTATION ORGANIZATION OR TRANSPORTATION
3 COMPANY SHALL RECEIVE, IN ADDITION TO THE BASIC SUBSIDY, AN
4 INCENTIVE GRANT SUBSIDY OF UP TO EIGHT AND ONE-THIRD PERCENT OF
5 ITS CONSTRAINED DEFICIT BASED UPON A FINDING THAT THE LOCAL
6 TRANSPORTATION ORGANIZATION OR TRANSPORTATION COMPANY FOR THE
7 MOST RECENTLY COMPLETED STATE FISCAL YEAR AS COMPARED TO THE
8 FISCAL YEAR IMMEDIATELY PRECEDING SUCH YEAR HAS MET OR EXCEEDED
9 THE FOLLOWING PERFORMANCE FACTORS. EACH FACTOR WHICH A LOCAL
10 TRANSPORTATION ORGANIZATION OR TRANSPORTATION COMPANY MEETS
11 SHALL RESULT IN AN ADDITIONAL INCREASE IN STATE FUNDING OF ITS
12 CONSTRAINED DEFICIT. THE FACTORS TO BE CONSIDERED BY THE
13 DEPARTMENT IN AWARDING INCENTIVE GRANT SUBSIDIES ARE AS FOLLOWS:

14 (1) A DECREASE OF NO MORE THAN TWO PERCENTAGE POINTS IN THE
15 SYSTEM'S REVENUE/COST RATIO FROM THE PREVIOUS FISCAL YEAR.

16 (2) HIGHER RIDERSHIP PER VEHICLE HOUR IN THE SYSTEM THAN IN
17 THE PREVIOUS FISCAL YEAR.

18 (3) HIGHER OPERATING REVENUE PER VEHICLE HOUR IN THE SYSTEM
19 THAN IN PREVIOUS FISCAL YEAR.

20 (4) LOWER OPERATING COSTS PER VEHICLE HOUR IN THE SYSTEM
21 (ADJUSTED FOR INFLATION) THAN IN THE PREVIOUS FISCAL YEAR.

22 (F) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, NO
23 LOCAL TRANSPORTATION ORGANIZATION OR TRANSPORTATION COMPANY
24 SHALL BE ENTITLED TO RECEIVE AN AMOUNT WITH RESPECT TO ANY
25 FISCAL YEAR GREATER THAN SEVENTY-FIVE PERCENT OF ITS ACTUAL
26 OPERATING COSTS LESS ACTUAL REVENUES AND FEDERAL SUBSIDIES FOR
27 THAT FISCAL YEAR.

28 (G) A LOCAL TRANSPORTATION ORGANIZATION OR TRANSPORTATION
29 COMPANY MAY AT ITS OPTION SUBMIT AN APPLICATION FOR PROJECT
30 GRANTS COVERING MODES OR OPERATING SUBSIDIARIES ON AN INDIVIDUAL

<—

1 BASIS OR ON A COLLECTIVE BASIS.

2 (H) RECIPIENTS OF FUNDS UNDER THIS SECTION SHALL SUBMIT TO
3 THE DEPARTMENT BETWEEN AUGUST 15 AND SEPTEMBER 15 OF EACH
4 CALENDAR YEAR A PROPOSED BUDGET FOR THE BUDGET YEAR BEGINNING
5 JULY 1 TOGETHER WITH BUDGET PROJECTIONS FOR FOUR SUCCEEDING
6 BUDGET YEARS. BUDGET PROPOSALS, BASED UPON INFORMATION SUBMITTED
7 BY INDIVIDUAL RECIPIENTS, SHALL APPEAR AS LINE ITEMS IN THE
8 DEPARTMENT'S BUDGET REQUEST: PROVIDED, HOWEVER, THAT THE
9 DEPARTMENT BUDGET REQUEST FOR FUNDS UNDER THIS SECTION SHALL BE
10 MADE AS A LUMP SUM APPROPRIATION REQUEST WHICH SHALL BE THE
11 TOTAL OF SUCH LINE ITEMS. IF AMOUNT OF MONEYS ACTUALLY
12 APPROPRIATED BY THE GENERAL ASSEMBLY IS GREATER OR LESSER THAN
13 THE LUMP SUM APPROPRIATION REQUEST, THE INDIVIDUAL CALCULATED
14 GRANTS SHALL BE PRORATED AMONG ALL RECIPIENTS IN ACCORDANCE WITH
15 THE PROVISIONS OF THIS ACT ARTICLE USING A RATIO DETERMINED BY <—
16 APPLYING THE ACTUAL LUMP SUM APPROPRIATION TO THE LUMP SUM
17 APPROPRIATION REQUEST.

18 (I) LOCAL TRANSPORTATION ORGANIZATIONS AND TRANSPORTATION
19 COMPANIES SHALL BE PREPARED TO APPEAR INDIVIDUALLY BEFORE THE
20 APPROPRIATION COMMITTEES OF THE SENATE AND THE HOUSE OF
21 REPRESENTATIVES TO JUSTIFY BUDGET REQUESTS.

22 SECTION ~~106~~ 205. GRANT PROPOSALS.--(A) GRANTS MAY BE MADE <—
23 HEREUNDER WITH REFERENCE TO ANY APPROPRIATE PROJECT IRRESPECTIVE
24 OF WHEN IT WAS FIRST COMMENCED OR CONSIDERED AND REGARDLESS OF
25 WHETHER COSTS WITH RESPECT THERETO SHALL HAVE BEEN INCURRED
26 PRIOR TO THE TIME THE GRANT IS APPLIED FOR OR MADE.

27 (B) THE GOVERNING BODIES OF MUNICIPALITIES, COUNTIES OR
28 THEIR INSTRUMENTALITIES, AND AGENCIES AND INSTRUMENTALITIES OF
29 THE COMMONWEALTH MAY, BY FORMAL RESOLUTION, APPLY AND
30 TRANSPORTATION COMPANIES BY APPLICATION MAY APPLY TO THE

1 DEPARTMENT FOR STATE GRANT FUNDS PROVIDED BY THIS ACT ARTICLE. <—
2 IF SUCH ACTION IS TAKEN BY ANY SUCH GOVERNING BODY, A CERTIFIED
3 COPY OF THE RESOLUTION AND IN THE CASE OF TRANSPORTATION
4 COMPANIES, AN APPLICATION SHALL BE FORWARDED TO THE DEPARTMENT
5 WITH A PROPOSAL OF THE GOVERNING BODY OR COMPANY, WHICH SHALL
6 SET FORTH THE USE TO BE MADE OF STATE GRANT FUNDS AND THE AMOUNT
7 OF FUNDS REQUIRED.

8 (C) THE DEPARTMENT SHALL GIVE PREFERENCE TO ANY PROPOSAL
9 WHICH WILL ASSIST IN CARRYING OUT A PLAN, MEETING CRITERIA
10 ESTABLISHED BY THE DEPARTMENT, FOR A UNIFIED OR OFFICIALLY
11 COORDINATED URBAN TRANSPORTATION SYSTEM AS A PART OF THE
12 COMPREHENSIVELY PLANNED DEVELOPMENT OF THE URBAN AREA, WHICH IS
13 NECESSARY FOR THE SOUND, ECONOMIC AND DESIRABLE DEVELOPMENT OF
14 SUCH AREA, AND WHICH SHALL ENCOURAGE TO THE MAXIMUM EXTENT
15 FEASIBLE THE PARTICIPATION OF PRIVATE ENTERPRISE.

16 (D) THE USE OF THE STATE GRANT FUNDS SHALL BE FOR THE
17 PURPOSES SET FORTH IN SECTION ~~104~~ 203, AND WITHOUT LIMITING THE <—
18 GENERALITY OF THE FOREGOING, MAY BE USED FOR LOCAL CONTRIBUTIONS
19 REQUIRED BY THE FEDERAL URBAN MASS TRANSPORTATION ACT OF 1964,
20 AS AMENDED, OR OTHER FEDERAL LAW CONCERNING COMMON CARRIER MASS
21 TRANSPORTATION.

22 (E) THE DEPARTMENT SHALL REVIEW THE PROPOSAL AND, IF
23 SATISFIED THAT THE PROPOSAL IS IN ACCORDANCE WITH THE PURPOSES
24 OF THIS ACT ARTICLE, SHALL ENTER INTO A GRANT AGREEMENT SUBJECT <—
25 TO THE CONDITION THAT THE GRANT BE USED IN ACCORDANCE WITH THE
26 TERMS OF THE PROPOSAL.

27 (F) THE TIME OF PAYMENT OF THE GRANT AND ANY CONDITIONS
28 CONCERNING SUCH PAYMENT SHALL BE SET FORTH IN THE GRANT
29 AGREEMENT.

30 SECTION ~~107~~ 206. RULES AND REGULATIONS OF THE DEPARTMENT.-- <—

1 IN ORDER TO EFFECTUATE AND ENFORCE THE PROVISIONS OF THIS ACT <—
2 ARTICLE, THE DEPARTMENT IS AUTHORIZED TO PROMULGATE NECESSARY
3 RULES AND REGULATIONS AND PRESCRIBE CONDITIONS AND PROCEDURES IN
4 ORDER TO ASSURE COMPLIANCE IN CARRYING OUT THE PURPOSES FOR
5 WHICH GRANTS MAY BE MADE HEREUNDER.

6 SECTION ~~108~~ 207. COOPERATION WITH OTHER GOVERNMENTS AND <—
7 PRIVATE INTERESTS.--(A) THE DEPARTMENT IS DIRECTED TO
8 ADMINISTER THIS PROGRAM WITH SUCH FLEXIBILITY AS TO PERMIT FULL
9 COOPERATION BETWEEN FEDERAL, STATE AND LOCAL GOVERNMENTS,
10 AGENCIES AND INSTRUMENTALITIES, AS WELL AS PRIVATE INTERESTS, SO
11 AS TO RESULT IN AS EFFECTIVE AND ECONOMICAL A PROGRAM AS
12 POSSIBLE.

13 (B) THE DEPARTMENT IS HEREBY AUTHORIZED TO ENTER INTO
14 AGREEMENTS PROVIDING FOR MUTUAL COOPERATION BETWEEN OR AMONG IT
15 AND ANY FEDERAL AGENCY, LOCAL TRANSPORTATION ORGANIZATION OR
16 TRANSPORTATION COMPANY, CONCERNING ANY OR ALL PROJECTS,
17 INCLUDING JOINT APPLICATIONS FOR FEDERAL GRANTS.

18 (C) IT IS THE PURPOSE AND INTENT OF THIS ACT ARTICLE TO <—
19 AUTHORIZE THE DEPARTMENT TO DO ANY AND ALL OTHER THINGS
20 NECESSARY OR DESIRABLE TO SECURE THE FINANCIAL AID OR
21 COOPERATION OF ANY FEDERAL AGENCY IN ANY OF THE DEPARTMENT'S
22 PROJECTS, AND TO DO AND PERFORM ALL THINGS WHICH MAY BE REQUIRED
23 BY ANY STATUTE OF THE UNITED STATES OF AMERICA OR BY THE LAWFUL
24 REQUIREMENTS OF ANY FEDERAL AGENCY AUTHORIZED TO ADMINISTER ANY
25 PROGRAM OF FEDERAL AID TO TRANSPORTATION.

26 SECTION ~~109~~ 208. GRANTS BY COUNTIES OR MUNICIPALITIES.--ANY <—
27 COUNTY OR MUNICIPALITY IN ANY METROPOLITAN AREA WHICH IS A
28 MEMBER OF A LOCAL TRANSPORTATION ORGANIZATION SHALL BE AND IT IS
29 HEREBY AUTHORIZED TO MAKE ANNUAL GRANTS FROM CURRENT REVENUES TO
30 SUCH LOCAL TRANSPORTATION ORGANIZATION TO ASSIST IN DEFRAYING

1 THE COSTS OF OPERATIONS, MAINTENANCE AND DEBT SERVICE OF SUCH
2 LOCAL TRANSPORTATION ORGANIZATION OR OF A PARTICULAR MASS
3 TRANSPORTATION PROJECT OF SUCH LOCAL TRANSPORTATION ORGANIZATION
4 AND TO ENTER INTO LONG-TERM AGREEMENTS PROVIDING FOR THE PAYMENT
5 OF THE SAME. THE OBLIGATION OF A MUNICIPALITY OR COUNTY UNDER
6 ANY SUCH AGREEMENT SHALL NOT BE CONSIDERED TO BE A PART OF ITS
7 INDEBTEDNESS, NOR SHALL SUCH OBLIGATION BE DEEMED TO IMPAIR THE
8 STATUS OF ANY INDEBTEDNESS OF SUCH MUNICIPALITY OR COUNTY WHICH
9 WOULD OTHERWISE BE CONSIDERED AS SELF-SUSTAINING.

10 SECTION ~~110~~ 209. LIMITATION ON DECISIONS, FINDINGS AND <—
11 REGULATIONS MADE BY THE SECRETARY.--ALL DECISIONS, FINDINGS AND
12 REGULATIONS MADE BY THE SECRETARY PURSUANT TO THIS ACT ARTICLE <—
13 SHALL BE FOR THE PURPOSES OF THIS ACT ARTICLE ONLY AND SHALL NOT <—
14 CONSTITUTE EVIDENCE BEFORE ANY REGULATORY BODY OF THIS
15 COMMONWEALTH OR ANY OTHER JURISDICTION.

16 SECTION ~~111.~~ CONSTITUTIONAL CONSTRUCTION. THE PROVISIONS OF <—
17 THIS ACT SHALL BE SEVERABLE, AND IF ANY OF THE PROVISIONS
18 THEREOF SHALL BE HELD UNCONSTITUTIONAL, SUCH DECISIONS SHALL NOT
19 AFFECT THE VALIDITY OF ANY OF THE REMAINING PROVISIONS OF THIS
20 ACT. IT IS HEREBY DECLARED AS THE LEGISLATIVE INTENT THAT THIS
21 ACT WOULD HAVE BEEN ADOPTED HAD SUCH UNCONSTITUTIONAL PROVISION
22 NOT BEEN INCLUDED HEREIN.

23 ARTICLE ~~II~~ III <—

24 METROPOLITAN TRANSPORTATION AUTHORITIES

25 SECTION ~~201.~~ SHORT TITLE. THIS ARTICLE SHALL BE KNOWN AND <—
26 MAY BE CITED AS THE "METROPOLITAN TRANSPORTATION AUTHORITIES
27 ACT."

28 SECTION ~~202~~ 301. LEGISLATIVE FINDING; DECLARATION OF <—
29 POLICY.--(A) IT IS HEREBY DETERMINED AND DECLARED AS A MATTER
30 OF LEGISLATIVE FINDING:

1 (1) THAT THERE EXISTS IN THE URBAN AND SUBURBAN COMMUNITIES
2 IN METROPOLITAN AREAS, TRAFFIC CONGESTION AND SERIOUS MASS
3 TRANSPORTATION PROBLEMS BECAUSE OF UNDERDEVELOPED, UNCOORDINATED
4 OBSOLETE MASS TRANSPORTATION FACILITIES RESULTING IN INADEQUATE
5 OR OVERCROWDED HIGH COST CONDITIONS ON OUR HIGHWAYS AND EXISTING
6 MASS TRANSPORTATION FACILITIES.

7 (2) THAT SUCH CONDITIONS OR A COMBINATION OF SOME OR ALL OF
8 THEM HAVE MADE AND WILL CONTINUE TO RESULT IN MAKING SUCH
9 COMMUNITIES ECONOMIC AND SOCIAL LIABILITIES, HARMFUL TO THE
10 SOCIAL AND ECONOMIC WELL-BEING OF THE ENTIRE AREA, DEPRECIATING
11 VALUES THEREIN, REDUCING THE TAX REVENUES, MAKING THE
12 METROPOLITAN AREAS AND THEIR CONSTITUENT COMMUNITIES LESS
13 DESIRABLE AREAS IN WHICH TO LIVE AND WORK AND THEREBY
14 DEPRECIATING FURTHER THE GENERAL COMMUNITY-WIDE VALUES.

15 (3) THAT THE FOREGOING CONDITIONS CANNOT BE EFFECTIVELY
16 DEALT WITH BY PRIVATE ENTERPRISE UNDER EXISTING LAW WITHOUT THE
17 ADDITIONAL AIDS HEREIN GRANTED AND ARE BEYOND REMEDY OR CONTROL
18 BY GOVERNMENTAL REGULATORY PROCESSES.

19 (4) THAT THE SOUND REPLANNING AND REDEVELOPMENT OF
20 METROPOLITAN MASS TRANSPORTATION FACILITIES IN ACCORDANCE WITH
21 SOUND AND APPROVED PLANS FOR THEIR PROMOTION, DEVELOPMENT AND
22 GROWTH WILL PROMOTE THE PUBLIC HEALTH, SAFETY, CONVENIENCE AND
23 WELFARE AND THAT THE PUBLIC ACQUISITION OF EXISTING MASS
24 TRANSPORTATION FACILITIES IN ACCORDANCE WITH THE SAID SOUND
25 PLANS FOR THEIR REDEVELOPMENT AND PROMOTION WILL PROMOTE THE
26 PUBLIC HEALTH, SAFETY, CONVENIENCE AND WELFARE.

27 (5) THAT THE WELL-BEING AND ECONOMIC HEALTH OF THE COUNTIES
28 AND OTHER COMMUNITIES IN THE METROPOLITAN AREAS REQUIRE
29 INTEGRATED SYSTEMS OF MASS PASSENGER TRANSPORTATION.

30 (6) THAT IT IS DESIRABLE THAT THE PUBLIC TRANSPORTATION

1 SYSTEMS IN THE METROPOLITAN AREAS BE COMBINED, IMPROVED,
2 EXTENDED AND SUPPLEMENTED BY THE CREATION OF AUTHORITIES AS
3 HEREIN PROVIDED.

4 (7) THAT THE ESTABLISHMENT OF METROPOLITAN TRANSPORTATION
5 AUTHORITIES WILL PROMOTE THE PUBLIC SAFETY, CONVENIENCE AND
6 WELFARE.

7 (8) THAT IT IS INTENDED THAT SUCH AUTHORITIES COOPERATE WITH
8 AND/OR ACQUIRE EXISTING TRANSPORTATION FACILITIES THAT PRIVATE
9 ENTERPRISE AND GOVERNMENT MAY MUTUALLY PROVIDE ADEQUATE TRANSIT
10 FACILITIES FOR THE CONVENIENCE OF THE PUBLIC.

11 (9) THAT IT IS INTENDED THAT ANY AUTHORITY CREATED HEREUNDER
12 WILL COOPERATE WITH ALL MUNICIPALITIES AND OTHER PUBLIC BODIES
13 IN WHOSE TERRITORIES IT OPERATES SO THAT THE MASS PASSENGER
14 TRANSPORTATION SYSTEM MAY BEST SERVE THE INTERESTS OF THE
15 RESIDENTS THEREOF.

16 (B) THEREFORE, IT IS HEREBY DECLARED TO BE THE POLICY OF THE
17 COMMONWEALTH OF PENNSYLVANIA TO PROMOTE THE SAFETY AND WELFARE
18 OF THE INHABITANTS THEREOF BY AUTHORIZING THE CREATION OF A BODY
19 CORPORATE AND POLITIC FOR EACH METROPOLITAN AREA, TO BE KNOWN AS
20 THE TRANSPORTATION AUTHORITY OF SUCH AREA, WHICH SHALL EXIST AND
21 OPERATE FOR THE PURPOSES CONTAINED IN THIS ACT ARTICLE. SUCH <—
22 PURPOSES ARE HEREBY DECLARED TO BE PUBLIC USES FOR WHICH PUBLIC
23 MONEY MAY BE SPENT AND PRIVATE PROPERTY MAY BE ACQUIRED BY THE
24 EXERCISE OF THE POWER OF EMINENT DOMAIN.

25 SECTION ~~203~~ 302. DEFINITIONS.--(A) THE FOLLOWING TERMS, <—
26 WHENEVER USED OR REFERRED TO IN THIS ARTICLE, SHALL HAVE THE
27 FOLLOWING MEANINGS, EXCEPT IN THOSE INSTANCES WHERE THE CONTEXT
28 CLEARLY INDICATES OTHERWISE:

29 "AUTHORITY" SHALL MEAN ANY BODY CORPORATE AND POLITIC CREATED
30 PURSUANT TO THIS ACT ARTICLE. <—

1 "BOARD" SHALL MEAN THE GOVERNING AND POLICY MAKING BODY OF AN
2 AUTHORITY.

3 "COMMONWEALTH" SHALL MEAN THE COMMONWEALTH OF PENNSYLVANIA.

4 "COMPREHENSIVE TRANSIT PLAN" SHALL MEAN A COMPREHENSIVE
5 STATEMENT, CONSISTING OF MAPS, CHARTS AND TEXTUAL MATTER, OF THE
6 AUTHORITY'S POLICIES, STRATEGIES AND OBJECTIVES FOR THE
7 DEVELOPMENT OF THE TRANSIT SYSTEM CONSISTENT WITH THE
8 LEGISLATIVE FINDINGS AND DECLARED POLICY OF THIS ACT ARTICLE AND <—
9 THE RIGHTS, POWERS AND DUTIES OF THE AUTHORITY.

10 "COUNTY COMMISSIONERS" SHALL MEAN THE MEMBERS OF THE BOARD OF
11 COUNTY COMMISSIONERS IN EACH OF THE COUNTIES IN THE METROPOLITAN
12 AREA, EXCEPT COUNTIES OF THE FIRST CLASS.

13 "FEDERAL AGENCY" SHALL MEAN AND INCLUDE THE UNITED STATES OF
14 AMERICA, THE PRESIDENT OF THE UNITED STATES AND ANY DEPARTMENT
15 OR CORPORATION, AGENCY OR INSTRUMENTALITY, HERETOFORE OR
16 HEREAFTER CREATED, DESIGNATED OR ESTABLISHED BY THE UNITED
17 STATES OF AMERICA.

18 "GOVERNOR" MEANS THE GOVERNOR OF THE COMMONWEALTH OF
19 PENNSYLVANIA.

20 "LEGISLATIVE BODY" SHALL MEAN, IN COUNTIES OF THE FIRST
21 CLASS, THE CITY COUNCIL; IN THE OTHER COUNTIES THE BOARD OF
22 COUNTY COMMISSIONERS OR THE COUNTY COUNCIL; AND IN THE OTHER
23 MUNICIPALITIES, THAT BODY AUTHORIZED BY LAW TO ENACT ORDINANCES.

24 "MAJORITY" SHALL MEAN ANY WHOLE NUMBER CONSTITUTING MORE THAN
25 HALF OF THE TOTAL NUMBER, E.G., A MAJORITY OF FIVE EQUALS THREE
26 OR MORE; A MAJORITY OF SIX EQUALS FOUR OR MORE.

27 "MAYOR" SHALL MEAN THE CHIEF EXECUTIVE OFFICER OF ANY FIRST
28 CLASS CITY IN ANY FIRST CLASS COUNTY.

29 "METROPOLITAN AREA" SHALL MEAN ALL OF THE TERRITORY WITHIN
30 THE BOUNDARIES OF ANY COUNTY OF THE FIRST CLASS AND ALL OTHER

COUNTIES LOCATED IN WHOLE OR IN PART WITHIN TWENTY MILES OF SUCH
FIRST CLASS COUNTY.

"MUNICIPALITY" MEANS ANY CITY, COUNTY, BOROUGH OR TOWNSHIP OF
THE FIRST OR SECOND CLASS WITHIN ANY METROPOLITAN AREA.

"PERSONS" SHALL MEAN AND INCLUDE CORPORATIONS, ASSOCIATIONS
AND OTHER LEGAL ENTITIES, AS WELL AS NATURAL PERSONS.

"PROJECT" SHALL MEAN ANY STRUCTURE, FACILITY OR UNDERTAKING
WHICH AN AUTHORITY IS AUTHORIZED TO ACQUIRE, CONSTRUCT, IMPROVE,
LEASE, MAINTAIN, OPERATE, CONTRACT FOR, OR OTHERWISE FUNCTION
WITH RESPECT TO, UNDER THE PROVISIONS OF THIS ACT ARTICLE.

"TRANSIT VEHICLE" MEANS EVERY VEHICLE WHICH IS SELF-PROPELLED
OR WHICH IS PROPELLED BY ELECTRIC POWER.

"TRANSPORTATION SYSTEM" SHALL MEAN ALL PROPERTY, REAL AND
PERSONAL, USEFUL FOR THE TRANSPORTATION OF PASSENGERS FOR HIRE,
INCLUDING BUT NOT LIMITED TO POWER PLANTS, SUBSTATIONS,
TERMINALS, GARAGES, BRIDGES, TUNNELS, SUBWAYS, ELEVATED LINES,
MONORAILS, RAILROAD MOTIVE POWER, TRAINS, RAILROAD PASSENGER
CARS AND EQUIPMENT, BELT CONVEYORS, INCLINES, CAR BARNs, STREET
CARS, BUSES, RAILS, LINES, POLES, WIRES, STATIONS, OFF-STREET
PARKING FACILITIES RIGHTS-OF-WAY, AS WELL AS THE FRANCHISES,
RIGHTS AND LICENSES THEREFOR, INCLUDING RIGHTS TO PROVIDE GROUP
AND PARTY SERVICES: PROVIDED, THAT SUCH TERM SHALL NOT INCLUDE
TAXICABS.

(B) WORDS IMPORTING THE SINGULAR SHALL INCLUDE THE PLURAL;
THE MASCULINE SHALL INCLUDE THE FEMININE AND VICE VERSA.

SECTION 204 303. CREATION OF TRANSPORTATION AUTHORITIES;
RIGHTS AND POWERS.--(A) THERE IS HEREBY AUTHORIZED THE CREATION
OF A SEPARATE BODY CORPORATE AND POLITIC IN EACH METROPOLITAN
AREA, TO BE KNOWN AS THE TRANSPORTATION AUTHORITY OF SUCH AREA,
EXTENDING TO AND INCLUDING ALL OF THE TERRITORY IN THE

1 METROPOLITAN AREA. AN AUTHORITY SHALL IN NO WAY BE DEEMED TO BE
2 AN INSTRUMENTALITY OF ANY CITY OR COUNTY OR OTHER MUNICIPALITY
3 OR ENGAGED IN THE PERFORMANCE OF A MUNICIPAL FUNCTION, BUT SHALL
4 EXERCISE THE PUBLIC POWERS OF THE COMMONWEALTH AS AN AGENCY AND
5 INSTRUMENTALITY THEREOF. AN AUTHORITY SHALL EXIST FOR THE
6 PURPOSE OF PLANNING, ACQUIRING, HOLDING, CONSTRUCTING,
7 IMPROVING, MAINTAINING, OPERATING, LEASING, EITHER AS LESSOR OR
8 LESSEE, AND OTHERWISE FUNCTIONING WITH RESPECT TO, A
9 TRANSPORTATION SYSTEM IN THE METROPOLITAN AREA, AND, OUTSIDE OF
10 SUCH AREA, WHETHER WITHIN OR BEYOND THE BOUNDARIES OF THE
11 COMMONWEALTH, TO THE EXTENT NECESSARY FOR THE OPERATION OF AN
12 INTEGRATED SYSTEM AND FOR THE PROVISION OF ALL GROUP AND PARTY
13 SERVICES WHICH CAN BE PROVIDED BY TRANSPORTATION SYSTEMS SUBJECT
14 TO ACQUISITION UNDER THIS ACT ARTICLE: PROVIDED, HOWEVER, THAT <—
15 ALL SERVICES RENDERED BY THE AUTHORITY OUTSIDE THE METROPOLITAN
16 AREA SHALL BE PURSUANT TO CERTIFICATES OF PUBLIC CONVENIENCE OR
17 OTHER APPROPRIATE AUTHORIZATION ISSUED TO IT BY THE PENNSYLVANIA
18 PUBLIC UTILITY COMMISSION, OR OTHER APPROPRIATE REGULATORY
19 AGENCY OF ANY STATE OR THE FEDERAL GOVERNMENT. AN AUTHORITY
20 SHALL TRANSACT NO BUSINESS OR OTHERWISE BECOME OPERATIVE UNTIL
21 AND UNLESS A MAJORITY OF ITS BOARD SHALL HAVE BEEN QUALIFIED IN
22 ACCORDANCE WITH THIS ACT ARTICLE. <—

23 (B) THE CERTIFICATION BY THE APPOINTING POWER OF EACH BOARD
24 MEMBER, AND THE CONSTITUTIONAL OATH OF OFFICE SUBSCRIBED BY EACH
25 MEMBER, SHALL BE FILED WITH THE DEPARTMENT OF STATE AND UPON THE
26 RECEIPT OF INITIAL CERTIFICATIONS AND RESPECTIVE OATHS OF A
27 MAJORITY OF THE TOTAL NUMBER OF BOARD MEMBERS APPROPRIATE TO ANY
28 METROPOLITAN AREA, THE SECRETARY OF THE COMMONWEALTH SHALL ISSUE
29 A CERTIFICATE OF INCORPORATION. SUCH CERTIFICATE SHALL REFER TO
30 THE AUTHORITY BY THE NAME WHICH SHALL BE DESIGNATED BY SUCH

1 BOARD MEMBERS.

2 (C) IN ANY SUIT, ACTION OR PROCEEDING INVOLVING OR RELATING
3 TO THE VALIDITY OR ENFORCEMENT OF ANY CONTRACT OR ACT OF AN
4 AUTHORITY, A COPY OF THE CERTIFICATE OF INCORPORATION, DULY
5 CERTIFIED BY THE DEPARTMENT OF STATE, SHALL BE ADMISSIBLE IN
6 EVIDENCE, AND SHALL BE CONCLUSIVE PROOF OF THE LEGAL
7 ESTABLISHMENT OF THE AUTHORITY.

8 (D) A DULY CERTIFIED AUTHORITY SHALL HAVE AND MAY EXERCISE
9 ALL POWERS NECESSARY OR CONVENIENT FOR THE CARRYING OUT OF THE
10 AFORESAID PURPOSES, INCLUDING BUT WITHOUT LIMITING THE
11 GENERALITY OF THE FOREGOING, THE FOLLOWING RIGHTS OR POWERS:

12 (1) TO HAVE PERPETUAL EXISTENCE.

13 (2) TO SUE AND BE SUED, IMPEAD AND BE IMPEADED, COMPLAIN
14 AND DEFEND IN ALL COURTS, TO PETITION THE INTERSTATE COMMERCE
15 COMMISSION OR OTHER REGULATORY BODY, OR JOIN IN ANY PROCEEDING
16 BEFORE ANY SUCH BODIES OR COURTS IN ANY MATTER AFFECTING THE
17 OPERATION OF ANY PROJECT OF THE AUTHORITY.

18 (3) TO ADOPT AND USE AND ALTER AT WILL A CORPORATE SEAL.

19 (4) TO ESTABLISH A PRINCIPAL OFFICE WITHIN THE COUNTY OF THE
20 FIRST CLASS AND SUCH OTHER OFFICE OR OFFICES AS MAY BE NECESSARY
21 FOR THE CARRYING ON OF ITS DUTIES.

22 (5) TO ACQUIRE, PURCHASE, HOLD, LEASE AS LESSEE AND USE ANY
23 FRANCHISE, PROPERTY, REAL, PERSONAL OR MIXED, TANGIBLE OR
24 INTANGIBLE, OR ANY INTEREST THEREIN NECESSARY, OR DESIRABLE FOR
25 CARRYING OUT THE PURPOSES OF THE AUTHORITY, AND TO SELL, LEASE
26 AS LESSOR, TRANSFER AND DISPOSE OF ANY PROPERTY, OR INTEREST
27 THEREIN, AT ANY TIME ACQUIRED BY IT. IN EXERCISING ANY OF THE
28 POWERS GRANTED BY THIS PARAGRAPH, THE AUTHORITY SHALL CONSIDER,
29 INTER ALIA, THE SAME VALUE FACTORS AS PROVIDED IN SECTION 109 OF
30 THIS ACT 309 IN DETERMINING COMPENSATION UNDER THE EXERCISE OF

<—

1 EMINENT DOMAIN.

2 (6) TO ACQUIRE BY PURCHASE, LEASE, OR OTHERWISE, AND TO
3 CONSTRUCT, IMPROVE, MAINTAIN, REPAIR AND OPERATE PASSENGER
4 TRANSPORTATION FACILITIES.

5 (7) TO MAKE AND FROM TIME TO TIME TO AMEND AND REPEAL
6 BYLAWS, RULES, REGULATIONS AND RESOLUTIONS.

7 (8) TO APPOINT OFFICERS, AGENTS, EMPLOYES AND SERVANTS, TO
8 PRESCRIBE THEIR DUTIES AND FIX THEIR COMPENSATION, SUBJECT,
9 HOWEVER, TO SPECIFIC PROVISIONS OF THIS ACT ARTICLE. <—

10 (9) TO FIX, ALTER, CHARGE AND COLLECT FARES, RATES, RENTALS
11 AND OTHER CHARGES FOR ITS FACILITIES BY ZONES OR OTHERWISE AT
12 REASONABLE RATES TO BE DETERMINED EXCLUSIVELY BY IT, SUBJECT TO
13 APPEAL, AS HEREINAFTER PROVIDED, FOR THE PURPOSE OF PROVIDING
14 FOR THE PAYMENT OF ALL EXPENSES AND OBLIGATIONS OF THE
15 AUTHORITY, INCLUDING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT,
16 REPAIR, MAINTENANCE AND OPERATION OF ITS FACILITIES AND
17 PROPERTIES, THE PAYMENT OF THE PRINCIPAL AND INTEREST ON ITS
18 OBLIGATIONS, AND TO COMPLY FULLY WITH THE TERMS AND PROVISIONS
19 OF ANY AGREEMENTS MADE WITH THE PURCHASERS OR HOLDERS OF ANY
20 SUCH OBLIGATIONS. THE AUTHORITY SHALL DETERMINE BY ITSELF
21 EXCLUSIVELY, AFTER A PUBLIC HEARING, NOTICE OF WHICH SHALL BE
22 PUBLISHED IN TWO NEWSPAPERS OF GENERAL CIRCULATION AND A
23 PUBLICATION SPECIFICALLY DESIGNED TO REACH MINORITIES NOT FEWER
24 THAN THIRTY CALENDAR DAYS PRIOR TO SUCH HEARING, THE FACILITIES
25 TO BE OPERATED BY IT, THE SERVICES TO BE AVAILABLE TO THE
26 PUBLIC, AND THE RATES TO BE CHARGED THEREFOR. ANY PERSON
27 AGGRIEVED BY ANY RATE OR SERVICE OR CHANGE OF SERVICE FIXED BY
28 THE AUTHORITY MAY BRING AN APPEAL AGAINST THE AUTHORITY IN THE
29 COURT OF COMMON PLEAS OF ANY COUNTY IN THE METROPOLITAN AREA IN
30 WHICH THE CHARGE, SERVICE OR CHANGE OF SERVICE SHALL BE

1 APPLICABLE, FOR THE PURPOSE OF PROTESTING AGAINST ANY SUCH
2 CHARGE, SERVICE OR CHANGE OF SERVICE: PROVIDED, HOWEVER, THAT
3 THE GROUNDS FOR SUCH SUITS SHALL BE RESTRICTED TO A MANIFEST AND
4 FLAGRANT ABUSE OF DISCRETION OR AN ERROR OF LAW; OTHERWISE, ALL
5 SUCH ACTIONS BY THE AUTHORITY SHALL BE FINAL. UPON THE FINDING
6 OF AN ERROR OF LAW OR A MANIFEST AND FLAGRANT ABUSE OF
7 DISCRETION, THE COURT SHALL ISSUE AN ORDER SETTING FORTH THE
8 ABUSE OR ERROR AND RETURNING THE MATTER TO THE AUTHORITY FOR
9 SUCH FURTHER ACTION AS SHALL BE NOT INCONSISTENT WITH THE
10 FINDINGS OF THE COURT. NO APPEAL FROM THE ACTION OF THE
11 AUTHORITY OR FROM THE DECISION OF THE COURT OF COMMON PLEAS
12 SHALL ACT AS A SUPERSEDEAS, EXCEPT WHEN TAKEN BY THE AUTHORITY
13 OR ANY COUNTY OR MUNICIPALITY, OR, IN OTHER CASES, WHEN
14 SPECIALLY GRANTED AFTER A FINDING THAT IRREPARABLE AND
15 EXTRAORDINARY HARM WILL RESULT. THE COURTS SHALL GIVE PRIORITY
16 TO ALL SUCH APPEALS AND NO BOND SHALL BE REQUIRED OF ANY PARTY
17 INSTITUTING SUCH AN APPEAL UNDER THE PROVISIONS OF THIS SECTION.

18 (10) THE AUTHORITY SHALL FIX SUCH RATES, FARES AND CHARGES
19 IN SUCH MANNER THAT THEY SHALL BE AT ALL TIMES SUFFICIENT IN THE
20 AGGREGATE, AND IN CONJUNCTION WITH ANY GRANTS FROM FEDERAL OR
21 OTHER SOURCES, AND ANY OTHER INCOME AVAILABLE TO THE AUTHORITY,
22 TO PROVIDE FUNDS ~~(I)~~ FOR THE PAYMENT OF ALL OPERATING COSTS AND <—
23 EXPENSES WHICH SHALL BE INCURRED BY THE AUTHORITY, ~~AND (II)~~ FOR <—
24 THE PAYMENT OF THE INTEREST ON AND PRINCIPAL OF ALL BONDS,
25 CERTIFICATES AND OTHER OBLIGATIONS PAYABLE FROM SAID REVENUES
26 AND TO MEET ALL OTHER CHARGES UPON SUCH REVENUES AS PROVIDED BY
27 ANY TRUST AGREEMENT EXECUTED BY THE AUTHORITY IN CONNECTION WITH
28 THE ISSUANCE OF BONDS OR CERTIFICATES UNDER THIS ~~ACT~~ ARTICLE. <—

29 (11) THE BOARD MAY ENTER INTO AGREEMENTS WITH THE UNITED
30 STATES POST OFFICE DEPARTMENT FOR THE TRANSPORTATION OF MAIL AND

1 PAYMENT OF COMPENSATION TO THE AUTHORITY IN LIEU OF FARES FOR
2 THE TRANSPORTATION OF LETTER CARRIERS IN UNIFORM AT ALL TIMES.
3 THE BOARD MAY MAKE SIMILAR AGREEMENTS WITHIN ANY MUNICIPALITY,
4 IN AND BY WHICH THEY ARE EMPLOYED, FOR THE TRANSPORTATION OF
5 FIREMEN AND PUBLIC HEALTH NURSES WHEN IN UNIFORM, AND OF
6 POLICEMEN WHEN IN UNIFORM OR WHEN NOT IN UNIFORM, UPON
7 PRESENTATION OF IDENTIFICATION AS POLICEMEN. THE BOARD MAY ALSO
8 PROVIDE FREE TRANSPORTATION FOR EMPLOYES OF THE AUTHORITY WHEN
9 IN UNIFORM OR UPON PRESENTATION OF IDENTIFICATION AS SUCH
10 EMPLOYES.

11 (12) TO BORROW MONEY FROM PRIVATE LENDERS, OR FROM THE STATE
12 OR FEDERAL GOVERNMENT, OR FROM ANY MUNICIPALITY IN THE
13 METROPOLITAN AREA, IN SUCH AMOUNTS AS MAY BE NECESSARY OR
14 DESIRABLE FOR THE OPERATION AND WORK OF THE AUTHORITY; TO MAKE
15 AND ISSUE NEGOTIABLE NOTES, BONDS, REFUNDING BONDS AND OTHER
16 EVIDENCES OF INDEBTEDNESS OR OBLIGATIONS OF THE AUTHORITY IN
17 CONNECTION WITH ANY SUCH BORROWING OR REFUNDING OR IN PAYMENT IN
18 WHOLE OR IN PART OF ALL OR ANY PART OF ANY TRANSPORTATION
19 SYSTEM, OR ANY BONDS, SHARES OR OTHER SECURITIES OF ANY
20 CORPORATION OWNING OR OPERATING ANY SUCH SYSTEM, OR ANY
21 FRANCHISES, PROPERTY, EQUIPMENT OR INTERESTS ACQUIRED OR TO BE
22 ACQUIRED BY THE AUTHORITY, AND TO SECURE THE PAYMENT OF SUCH
23 BONDS, OR ANY PART THEREOF, BY PLEDGE OR DEED OF TRUST OF ALL OR
24 ANY OF ITS REVENUES, RENTALS, AND RECEIPTS, AND TO MAKE SUCH
25 AGREEMENTS WITH THE PURCHASERS OR HOLDERS OF SUCH BONDS OR WITH
26 OTHERS IN CONNECTION WITH ANY SUCH BONDS, WHETHER ISSUED OR TO
27 BE ISSUED AS THE AUTHORITY SHALL DEEM ADVISABLE AND IN GENERAL,
28 TO PROVIDE FOR THE SECURITY FOR SAID BONDS AND THE RIGHTS OF THE
29 HOLDERS THEREOF.

30 (13) TO APPLY FOR AND TO ACCEPT GRANTS, LOANS AND OTHER

1 ASSISTANCE FROM, AND TO ENTER INTO CONTRACTS, LEASES OR OTHER
2 TRANSACTIONS WITH, THE FEDERAL GOVERNMENT OR ANY AGENCY OR
3 INSTRUMENTALITY THEREOF, THE COMMONWEALTH, ANY MUNICIPALITY OR
4 CORPORATION, OR ANY PERSON WHATSOEVER, FOR ANY OF THE PURPOSES
5 OF THE AUTHORITY, AND TO ENTER INTO ANY AGREEMENT WITH THE
6 FEDERAL GOVERNMENT IN RELATION TO SUCH GRANTS, LOANS, OR OTHER
7 ASSISTANCE: PROVIDED, THAT SUCH AGREEMENT DOES NOT CONFLICT WITH
8 ANY OF THE PROVISIONS OF ANY TRUST AGREEMENT SECURING THE
9 PAYMENT OF BONDS OR CERTIFICATES OF THE AUTHORITY.

10 (14) TO MAKE AND EXECUTE ALL CONTRACTS AND OTHER INSTRUMENTS
11 NECESSARY OR CONVENIENT TO THE EXERCISE OF THE POWERS OF THE
12 AUTHORITY; AND ANY CONTRACT OR INSTRUMENT WHEN SIGNED BY THE
13 CHAIRMAN OR VICE CHAIRMAN AND SECRETARY OR ASSISTANT SECRETARY
14 OR TREASURER OR ASSISTANT TREASURER OF THE AUTHORITY SHALL BE
15 HELD TO HAVE BEEN PROPERLY EXECUTED FOR AND ON ITS BEHALF.
16 WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, THE AUTHORITY
17 IS ALSO AUTHORIZED TO ENTER INTO CONTRACTS FOR THE PURCHASE,
18 LEASE, OPERATION OR MANAGEMENT OF TRANSPORTATION FACILITIES
19 WITHIN OR WITHOUT THE METROPOLITAN AREA OR WITHIN OR WITHOUT THE
20 COMMONWEALTH: PROVIDED, HOWEVER, THAT WHENEVER SUCH FACILITIES
21 ARE LOCATED OUTSIDE THE METROPOLITAN AREA, THEY SHALL BE SUBJECT
22 TO THE JURISDICTION OF THE APPROPRIATE REGULATORY AGENCIES.

23 (15) TO ACQUIRE BY EMINENT DOMAIN ANY REAL OR PERSONAL
24 PROPERTY INCLUDING IMPROVEMENTS, FIXTURES AND FRANCHISES OF ANY
25 KIND WHATEVER FOR THE PUBLIC PURPOSES SET FORTH IN THIS ACT
26 ARTICLE IN THE MANNER HEREINAFTER PROVIDED.

27 (16) TO PLEDGE, HYPOTHECATE, OR OTHERWISE ENCUMBER, ALL OR
28 ANY OF THE REVENUES OR RECEIPTS OF THE AUTHORITY AS SECURITY FOR
29 ALL OR ANY OF THE OBLIGATIONS OF THE AUTHORITY.

30 (17) TO DO ALL ACTS AND THINGS NECESSARY FOR THE PROMOTION

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OF ITS BUSINESS, AND THE GENERAL WELFARE OF THE AUTHORITY TO
CARRY OUT THE POWERS GRANTED TO IT BY THIS ACT ARTICLE OR ANY
OTHER ACTS STATUTE.

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(18) TO ENTER INTO CONTRACTS WITH THE COMMONWEALTH, ITS
AGENCIES AND INSTRUMENTALITIES, MUNICIPALITIES OR CORPORATIONS,
ON SUCH TERMS AS THE AUTHORITY SHALL DEEM PROPER FOR THE USE OF
ANY FACILITY OF THE AUTHORITY, AND FIXING THE AMOUNT TO BE PAID
THEREFOR.

(19) TO ENTER INTO CONTRACTS OF GROUP INSURANCE FOR THE
BENEFIT OF ITS EMPLOYEES, OR TO CONTINUE ANY EXISTING INSURANCE
AND/OR PENSION OR RETIREMENT SYSTEM AND/OR ANY OTHER EMPLOYEE
BENEFIT ARRANGEMENT COVERING EMPLOYEES OF AN ACQUIRED EXISTING
TRANSPORTATION SYSTEM, AND/OR TO SET UP A RETIREMENT OR PENSION
FUND OR ANY OTHER EMPLOYEE BENEFIT ARRANGEMENT FOR SUCH EMPLOYEES.

(20) THE AUTHORITY SHALL HAVE NO POWER, AT ANY TIME OR IN
ANY MANNER, TO PLEDGE THE CREDIT OR TAXING POWER OF THE
COMMONWEALTH, OR ANY POLITICAL SUBDIVISION, NOR SHALL ANY OF ITS
OBLIGATIONS BE DEEMED TO BE OBLIGATIONS OF THE COMMONWEALTH OR
OF ANY OF ITS POLITICAL SUBDIVISIONS, NOR SHALL THE COMMONWEALTH
OR ANY POLITICAL SUBDIVISION THEREOF BE LIABLE FOR THE PAYMENT
OF PRINCIPAL OR INTEREST ON SUCH OBLIGATIONS.

(21) PRIVATE RIGHTS AND PROPERTY IN THE BEDS OF EXISTING
PUBLIC HIGHWAYS VACATED IN ORDER TO FACILITATE THE PURPOSES OF
THE AUTHORITY SHALL NOT BE DEEMED DESTROYED OR OUSTED BY REASON
OF SUCH VACATION, BUT SHALL BE ACQUIRED OR RELOCATED BY THE
AUTHORITY IN THE SAME MANNER AS OTHER PROPERTY.

(22) TO HAVE THE RIGHT TO USE ANY PUBLIC ROAD, STREET, WAY,
HIGHWAY, BRIDGE OR TUNNEL FOR THE OPERATION OF A TRANSPORTATION
SYSTEM WITHIN THE METROPOLITAN AREA: PROVIDED, HOWEVER, THAT IN
ALL CASES INVOLVING THE FACILITIES OF A RAILROAD, ANY OPERATIONS

OF WHICH EXTEND BEYOND THE METROPOLITAN AREA, THE EXERCISE OF
THIS RIGHT BY THE AUTHORITY SHALL BE SUBJECT TO THE JURISDICTION
OF THE PUBLIC UTILITY COMMISSION UNDER TITLE 66 OF THE
PENNSYLVANIA CONSOLIDATED STATUTES (RELATING TO PUBLIC
UTILITIES).

(23) TO LEASE PROPERTY OR CONTRACT FOR SERVICE, INCLUDING
MANAGERIAL AND OPERATING SERVICE, WHENEVER IT CAN MORE
EFFICIENTLY AND EFFECTIVELY SERVE THE PUBLIC BY SO DOING, RATHER
THAN CONDUCTING ITS OWN OPERATIONS WITH ITS OWN PROPERTY.

(24) TO SELF-INSURE OR OTHERWISE PROVIDE FOR THE INSURANCE
OF ANY PROPERTY OR OPERATIONS OF THE AUTHORITY AGAINST ANY RISKS
OR HAZARDS.

(25) TO ACT AS AGENT OF THE STATE, OR OF THE FEDERAL
GOVERNMENT OR ANY OF ITS INSTRUMENTALITIES OR AGENCIES, FOR THE
PUBLIC PURPOSE SET OUT IN THIS ACT ARTICLE.

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(26) TO CONDUCT EXAMINATIONS AND INVESTIGATIONS AND TO HEAR
TESTIMONY AND TAKE PROOF, UNDER OATH OR AFFIRMATION AT PUBLIC OR
PRIVATE HEARINGS, AS HEREINAFTER PROVIDED, ON ANY MATTER
MATERIAL TO THE PUBLIC PURPOSES SET FORTH IN THIS ACT ARTICLE.

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(27) TO MAKE AVAILABLE TO THE GOVERNMENT OF A MUNICIPALITY
OR ANY APPROPRIATE AGENCY, BOARD OR COMMISSION THEREOF, THE
RECOMMENDATIONS OF THE AUTHORITY AFFECTING ANY AREA IN THE
AUTHORITY'S FIELD OF OPERATION OR PROPERTY THEREIN, WHICH IT MAY
DEEM LIKELY TO PROMOTE THE PUBLIC HEALTH, MORALS, SAFETY AND
WELFARE.

(28) TO FORM PLANS FOR THE IMPROVEMENT OF MASS
TRANSPORTATION IN ORDER TO PROMOTE THE ECONOMIC DEVELOPMENT OF
THE METROPOLITAN AREA IN WHICH THE TRANSPORTATION AUTHORITY
OPERATES; TO MAKE RECOMMENDATIONS CONCERNING MASS TRANSPORTATION
FACILITIES WHICH THE AUTHORITY DOES NOT OWN OR OPERATE; TO MAKE

1 RECOMMENDATIONS CONCERNING THROUGHWAYS AND ARTERIAL HIGHWAY
2 CONNECTIONS TO THE DEPARTMENT OF TRANSPORTATION AND TO OTHER
3 APPROPRIATE GOVERNMENTAL BODIES; AND OTHERWISE TO COOPERATE WITH
4 ALL SUCH GOVERNMENTAL BODIES. THE AUTHORITY SHALL GIVE ADVANCE
5 NOTICE TO THE DEPARTMENT OF TRANSPORTATION OF ANY PLANS WHICH IT
6 MAY HAVE FOR THE OCCUPATION OR USE OF ANY PART OF ANY STATE
7 HIGHWAY.

8 (29) THE AUTHORITY SHALL NOT HAVE POWER TO LEVY TAXES FOR
9 ANY PURPOSE WHATSOEVER.

10 (30) IT SHALL BE THE DUTY OF THE BOARD, AS PROMPTLY AS
11 POSSIBLE, TO REHABILITATE, RECONSTRUCT, AND EXTEND AS POSSIBLE,
12 ALL PORTIONS OF ANY TRANSPORTATION SYSTEM ACQUIRED BY THE
13 AUTHORITY AND TO MAINTAIN AT ALL TIMES A FAST, RELIABLE AND
14 ECONOMICAL TRANSPORTATION SYSTEM SUITABLE AND ADAPTED TO THE
15 NEEDS OF THE MUNICIPALITIES SERVED BY THE AUTHORITY AND FOR
16 SAFE, COMFORTABLE AND CONVENIENT SERVICE. TO THAT END, THE BOARD
17 SHALL MAKE EVERY EFFORT TO UTILIZE HIGH SPEED RIGHTS-OF-WAY,
18 PRIVATE OR OTHERWISE, TO THE MAXIMUM EXTENT PRACTICABLE TO AVOID
19 AIR POLLUTION BY ITS VEHICLES; TO ABANDON NO PHYSICAL PROPERTY
20 WHICH HAS USEFUL AND ECONOMICAL CAPABILITIES, AND TO EXTEND ITS
21 RAIL AND HIGHWAY SERVICES INTO AREAS WHICH HAVE SUFFICIENT NEED
22 FOR THEM TO ECONOMICALLY OR STRATEGICALLY JUSTIFY SUCH
23 EXTENSION.

24 (31) TO AGREE WITH THE CONSTITUENT MUNICIPALITIES IN WHICH
25 IT OPERATES FOR THE LEASE OF PRESENT AND FUTURE MUNICIPAL
26 PROPERTY, WHERE SUCH A LEASE WOULD BE ADVANTAGEOUS TO THE
27 AUTHORITY IN THE FINANCING OR THE OPERATION OF IMPROVED
28 PASSENGER TRANSPORTATION SERVICE.

29 (32) TO ADOPT CONSISTENT WITH THE POLICIES OF THIS ACT
30 ARTICLE AND FROM TIME TO TIME AMEND A COMPREHENSIVE TRANSIT

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1 PLAN: PROVIDED, HOWEVER, THAT A PUBLIC HEARING SHALL BE
2 CONDUCTED PRIOR TO ADOPTION OR AMENDMENT. NOTICE OF SUCH PUBLIC
3 HEARING SHALL BE PUBLISHED IN TWO NEWSPAPERS OF GENERAL
4 CIRCULATION AND A PUBLICATION SPECIFICALLY DESIGNED TO REACH
5 MINORITIES NOT FEWER THAN THIRTY DAYS PRIOR TO SUCH HEARING.

6 SECTION ~~205~~ 304. PUBLIC HEARINGS.--ALL PUBLIC HEARINGS <—
7 REQUIRED BY THIS ACT ARTICLE SHALL BE CONDUCTED SO AS TO INSURE <—
8 THAT:

9 (1) MEMBERS OF THE PUBLIC ARE AFFORDED A REASONABLE
10 OPPORTUNITY TO COMMENT ORALLY OR IN WRITING OR BOTH ORALLY AND
11 IN WRITING CONCERNING ACTIONS THE AUTHORITY PROPOSES TO TAKE.

12 (2) THE SITE OF THE HEARING IS A CONVENIENT, ACCESSIBLE
13 LOCATION.

14 (3) MEMBERS OF THE PUBLIC ARE ADEQUATELY INFORMED AT THE
15 OUTSET REGARDING THE PURPOSES OF THE HEARING AND THE MATTERS ON
16 THE AGENDA.

17 (4) REASONABLE AND LEGITIMATE QUESTIONS FROM MEMBERS OF THE
18 PUBLIC ARE ANSWERED.

19 SECTION ~~206~~ 305. CITIZEN ADVISORY COMMITTEE.--(A) THERE IS <—
20 HEREBY ESTABLISHED A CITIZEN ADVISORY COMMITTEE. THE COMMITTEE
21 SHALL CONSIST OF:

22 (1) AN EVEN NUMBER OF MEMBERS OF THE GENERAL PUBLIC NOT
23 FEWER THAN FOURTEEN AND NOT GREATER THAN TWENTY-FOUR (THE EXACT
24 NUMBER TO BE DETERMINED BY THE CHIEF OPERATIONS OFFICER) WHO
25 SHALL BE APPOINTED BY THE COUNTY COMMISSIONERS OR THE COUNTY
26 COUNCIL, AS THE CASE MAY BE, OF ALL COUNTIES OF THE THIRD CLASS
27 AND SECOND CLASS A WHO ARE INVOLVED WITH ANY CITY OF THE FIRST
28 CLASS IN THE OPERATION OF A MASS TRANSPORTATION SYSTEM AND BY
29 THE MAYOR OF ANY SUCH CITY OF THE FIRST CLASS FROM RESIDENTS OF
30 THEIR RESPECTIVE MUNICIPALITIES WHO ARE REGULAR USERS OF MASS

1 TRANSPORTATION SERVICE; AND

2 (2) FIVE MEMBERS OF THE GENERAL PUBLIC, ONE RESIDENT FROM
3 EACH OF THE COUNTIES MENTIONED IN ~~CLAU~~SE PARAGRAPH (1) AND ONE <—
4 RESIDENT FROM THE CITY MENTIONED IN ~~CLAU~~SE PARAGRAPH (1) WHO ARE <—
5 REGULAR USERS OF MASS TRANSPORTATION SERVICE WHO SHALL BE
6 APPOINTED BY THE CHIEF OPERATIONS OFFICER.

7 (B) THE COMPOSITION OF THE COMMITTEE SHALL REFLECT THE
8 PROPORTIONATE DISTRIBUTION OF TOTAL RIDERSHIP AMONG ALL COUNTIES
9 OF THE THIRD CLASS AND SECOND CLASS A WHO ARE INVOLVED WITH ANY
10 CITY OF THE FIRST CLASS IN THE OPERATION OF A MASS
11 TRANSPORTATION SYSTEM AND ANY SUCH CITY OF THE FIRST CLASS. THE
12 TERMS OF THE MEMBERS SHALL BE TWO YEARS FROM THE DATE OF
13 APPOINTMENT OR UNTIL A SUCCESSOR HAS BEEN APPOINTED EXCEPT THAT
14 ONE-HALF OF THE MEMBERS FIRST APPOINTED SHALL SERVE FOR TERMS OF
15 ONE YEAR AND THE OTHER ONE-HALF SHALL SERVE FOR TERMS OF TWO
16 YEARS. NO MEMBER SHALL SERVE MORE THAN THREE CONSECUTIVE TERMS.
17 THE COMMITTEE SHALL SELECT FROM AMONG ITS NUMBER A CHAIRMAN,
18 VICE CHAIRMAN AND A SECRETARY. A MAJORITY OF THE MEMBERS OF THE
19 COMMITTEE PLUS ONE SHALL CONSTITUTE A QUORUM.

20 (C) THE CHIEF OPERATIONS OFFICER SHALL SUBMIT TO THE
21 COMMITTEE PROPOSALS REGARDING THE ADOPTION OR AMENDMENT OF A
22 COMPREHENSIVE TRANSIT PLAN, THE ANNUAL OPERATING BUDGET, ANY
23 CAPITAL BUDGET, ANY CHANGES IN THE LEVEL OF SERVICE OR FARES OR
24 OTHER MATTERS OF A SIMILAR NATURE PRIOR TO ANY FINAL ACTION
25 RELATING TO ANY OF THE FOREGOING. THE COMMITTEE MAY THOROUGHLY
26 CONSIDER SUCH PROPOSALS AND MAY PREPARE AND TRANSMIT TO THE
27 CHIEF OPERATIONS OFFICER AND TO ANY INTERESTED MEMBER OF THE
28 PUBLIC WRITTEN COMMENTS CONCERNING THE PROPOSALS PRIOR TO THE
29 DATE WHEN FINAL ACTION IS TO BE TAKEN.

30 (D) ALTHOUGH THE CHIEF OPERATIONS OFFICER SHALL GIVE CAREFUL

1 AND DUE CONSIDERATION TO THE COMMITTEE'S COMMENTS PRIOR TO THE
2 TAKING OF ANY FINAL ACTION, SUCH COMMENTS SHALL BE CONSIDERED
3 ONLY ADVISORY IN NATURE.

4 SECTION 207 306. POWER TO ACQUIRE PROPERTY, FRANCHISES, <—
5 ETC.-- (A) THE AUTHORITY SHALL HAVE POWER TO ACQUIRE BY
6 PURCHASE, CONDEMNATION, LEASE, GIFT, OR OTHERWISE, ALL OR ANY
7 PART OF THE PROPERTY OF ANY PUBLIC UTILITY OPERATING A
8 TRANSPORTATION SYSTEM WITHIN THE METROPOLITAN AREA, INCLUDING
9 BUT NOT LIMITED TO, THE PLANT, EQUIPMENT, PROPERTY RIGHTS IN
10 PROPERTY RESERVE FUNDS, EMPLOYES' PENSION OR RETIREMENT FUNDS,
11 SPECIAL FUNDS, FRANCHISES, LICENSES, PATENTS, PERMITS, OPERATING
12 RIGHTS, AND PAPER DOCUMENTS AND RECORDS, WHICH SAID PROPERTY
13 SHALL BE LOCATED WITHIN THE METROPOLITAN AREA AND SHALL BE
14 APPROPRIATE FOR THE PURPOSES FOR WHICH THE AUTHORITY IS
15 ESTABLISHED, AS WELL AS ALL OR ANY PART OF THE RIGHT-OF-WAY,
16 EQUIPMENT, FIXED FACILITIES, AND OTHER PROPERTY OF ANY KIND OF
17 ANY SUCH UTILITY, EXTENDING BEYOND THE BOUNDARIES OF THE
18 METROPOLITAN AREA AND FORMING, OR CAPABLE OF FORMING, PART OF AN
19 INTEGRATED SUBURBAN RAPID TRANSIT OR RAIL TRANSPORTATION
20 FACILITY, CONNECTING WITH RAPID TRANSIT OR ELECTRIC RAILWAY
21 LINE OF THE AUTHORITY IN SUPER HIGHWAYS OR ELSEWHERE. NO
22 INTEREST IN THE RIGHT-OF-WAY OF A RAILROAD COMPANY THE
23 OPERATIONS OF WHICH EXTEND BEYOND THE METROPOLITAN AREA SHALL BE
24 ACQUIRED OR OCCUPIED UNDER THE POWER OF EMINENT DOMAIN PURSUANT
25 TO THIS SECTION OR ANY OTHER SECTION ~~OF THIS ACT~~ WITHOUT THE <—
26 CONSENT OF SAID RAILROAD. SUCH PROPERTIES, UPON ACQUISITION BY
27 OR LEASE TO THE AUTHORITY, SHALL BECOME AND BE OPERATED AS PART
28 OF THE TRANSPORTATION SYSTEM OF THE AUTHORITY, AND THE AUTHORITY
29 SHALL HAVE ALL POWERS IN CONNECTION WITH SUCH PROPERTIES AND
30 SUCH OPERATIONS AS ARE CONFERRED BY THIS ~~ACT~~ ARTICLE. THE <—

1 AUTHORITY SHALL ALSO HAVE THE POWER TO ENTER INTO AGREEMENTS TO
2 OPERATE ANY SUCH LINES LOCATED OR EXTENDING BEYOND THE
3 BOUNDARIES OF THE METROPOLITAN AREA, SUCH AGREEMENTS TO BE
4 SUBJECT TO ALL OTHER PROVISIONS OF THIS ACT ARTICLE. THE <—
5 AUTHORITY SHALL HAVE POWER TO LEASE OR PURCHASE ANY MUNICIPALLY-
6 OWNED LOCAL TRANSPORTATION SUBWAYS OR OTHER MUNICIPALLY-OWNED
7 LOCAL TRANSPORTATION FACILITIES FOR OPERATION AND MAINTENANCE BY
8 THE AUTHORITY.

9 (B) WHENEVER THE AUTHORITY SHALL CONDEMN ALL OR
10 SUBSTANTIALLY ALL OF THE PROPERTY OF A TRANSPORTATION SYSTEM, IT
11 MAY ELECT TO COMMENCE CONDEMNATION PROCEEDINGS WITHOUT IMMEDIATE
12 PASSAGE OF TITLE BY INSERTING A PROVISION TO THAT EFFECT IN THE
13 DECLARATION OF TAKING. IN THAT EVENT, THE PROVISIONS OF SECTION
14 407 OF THE ACT OF JUNE 22, 1964 (SP.SESS., P.L.84, NO.6), KNOWN <—
15 AS THE "EMINENT DOMAIN CODE," SHALL NOT APPLY, AND THE TITLE
16 SHALL NOT PASS TO THE AUTHORITY AND THE AUTHORITY SHALL NOT BE
17 ENTITLED TO POSSESSION UNTIL PAYMENT TO THE CONDEMNEE OR INTO
18 COURT OF THE AMOUNT OF THE JUST COMPENSATION PAYABLE FOR THE
19 PROPERTY TAKEN (DETERMINED AS OF THE DATE OF FILING OF THE
20 DECLARATION OF TAKING), AS FINALLY DETERMINED IN ACCORDANCE WITH
21 THE PROVISIONS OF THIS ACT ARTICLE: PROVIDED, THAT SUCH PAYMENT <—
22 OCCURS WITHIN ONE YEAR OF SUCH FINAL DETERMINATION: AND PROVIDED
23 FURTHER, THAT FROM AND AFTER THE FILING OF THE DECLARATION OF
24 TAKING UNTIL THE PAYMENT TO THE CONDEMNEE OF JUST COMPENSATION
25 FOR THE CONDEMNED PROPERTY, THE AUTHORITY SHALL HAVE THE RIGHT
26 TO PETITION THE COURT HAVING JURISDICTION OF THE PROCEEDINGS TO
27 PREVENT WASTE, SUBSTANTIAL DISPOSITION OR ANY TRANSACTION WITH
28 RESPECT TO THE CONDEMNED PROPERTY OTHER THAN IN THE ORDINARY
29 COURSE OF BUSINESS WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT
30 OF THE AUTHORITY. THE CONDEMNEE SHALL HAVE NO RIGHT TO TENDER

1 POSSESSION OF THE PROPERTY OR OTHERWISE TO DEMAND PAYMENT OF ANY
2 COMPENSATION PRIOR TO SUCH PASSAGE OF TITLE.

3 SECTION ~~208~~ 307. POWER TO BUY, LEASE OR SELL PROPERTY.--THE <—
4 AUTHORITY SHALL HAVE POWER TO ACQUIRE BY PURCHASE, CONDEMNATION,
5 LEASE, GIFT OR OTHERWISE, ANY PROPERTY AND RIGHTS USEFUL FOR ITS
6 PURPOSES AND TO SELL, LEASE, TRANSFER OR CONVEY ANY PROPERTY OR
7 RIGHTS WHEN NO LONGER USEFUL OR EXCHANGE THE SAME FOR OTHER
8 PROPERTY OR RIGHTS WHICH ARE USEFUL FOR ITS PURPOSES.

9 SECTION ~~209~~ 308. POWER TO CONTRACT WITH PUBLIC UTILITIES.-- <—
10 THE AUTHORITY SHALL HAVE POWER TO ENTER INTO AGREEMENTS WITH ANY
11 PUBLIC UTILITY OPERATING A RAILROAD OR ANY OTHER TRANSPORTATION
12 FACILITY, EITHER WITHIN OR WITHOUT THE METROPOLITAN AREA FOR THE
13 JOINT USE OF ANY PROPERTY OF THE AUTHORITY OR PUBLIC UTILITY OR
14 THE ESTABLISHMENT OF THROUGH ROUTES, JOINT FARES AND TRANSFER OF
15 PASSENGERS.

16 SECTION ~~210~~ 309. REMOVAL OR RELOCATION OF UTILITY <—
17 STRUCTURES; POWER OF EMINENT DOMAIN.-- (A) THE AUTHORITY SHALL
18 HAVE POWER, SUBJECT TO RELEVANT PROVISIONS OF SECTION ~~204~~ <—
19 303(D)(22), TO REQUIRE PERSONS OR CORPORATIONS OWNING OR
20 OPERATING PUBLIC UTILITY STRUCTURES AND APPLIANCES IN, UPON,
21 UNDER, OVER, ACROSS OR ALONG THE PUBLIC ROADS, STREETS, OR OTHER
22 PUBLIC WAYS IN WHICH THE AUTHORITY HAS THE RIGHT TO OWN,
23 CONSTRUCT, OPERATE OR MAINTAIN TRANSPORTATION FACILITIES TO
24 REMOVE SUCH PUBLIC UTILITY STRUCTURES AND APPLIANCES FROM THEIR
25 LOCATIONS. IF ANY PERSON OR CORPORATION OWNING OR OPERATING
26 PUBLIC UTILITY STRUCTURES AND APPLIANCES FAILS OR REFUSES SO TO
27 REMOVE OR RELOCATE THEM, THE AUTHORITY MAY REMOVE OR RELOCATE
28 THEM; THE AUTHORITY SHALL PROVIDE THE NEW LOCATION WHICH THE
29 STRUCTURES OR APPLIANCES AS RELOCATED SHALL OCCUPY AND TO THAT
30 END THE AUTHORITY IS HEREBY AUTHORIZED TO ACQUIRE BY PURCHASE OR

1 BY THE EXERCISE OF THE POWER OF EMINENT DOMAIN ANY NECESSARY
2 LAND OR RIGHT-OF-WAY FOR SUCH PURPOSE, IF THE NEW LOCATION SHALL
3 NOT BE IN, ON OR ABOVE A HIGHWAY, ROAD OR STREET. THE EXACT NEW
4 LOCATION SHALL BE CHOSEN BY AGREEMENT OF THE AUTHORITY AND THE
5 UTILITY. UPON THE COMPLETION OF SUCH RELOCATION, THE AUTHORITY
6 SHALL REIMBURSE THE PUBLIC UTILITY FOR THE COST OF RELOCATION
7 WHICH SHALL BE THE ENTIRE AMOUNT PAID BY THE UTILITY PROPERLY
8 ATTRIBUTABLE TO THE RELOCATION OF THE STRUCTURE OR APPLIANCE
9 AFTER DEDUCTING THE COST OF ANY INCREASE IN THE SERVICE CAPACITY
10 OF THE NEW STRUCTURE OR APPLIANCE AND ANY SALVAGE VALUE DERIVED
11 FROM THE OLD STRUCTURE OR APPLIANCE. IF AN ISSUE SHALL ARISE
12 BETWEEN THE AUTHORITY AND THE PUBLIC UTILITY AS TO THE AMOUNT OF
13 THE COST OF RELOCATION OR THE NEW LOCATION EITHER PARTY MAY
14 INSTITUTE A PROCEEDING BY COMPLAINT BEFORE THE PENNSYLVANIA
15 PUBLIC UTILITY COMMISSION WHICH IS HEREBY CLOTHED WITH EXCLUSIVE
16 JURISDICTION TO HEAR AND DETERMINE SUCH ISSUE. APPEAL FROM THE
17 ORDER OF THE COMMISSION IN ANY SUCH PROCEEDING MAY BE TAKEN IN
18 THE SAME MANNER AS IS PRESCRIBED BY LAW FOR APPEALS FROM OTHER
19 ORDERS OF THE COMMISSION.

20 (B) THE AUTHORITY SHALL HAVE THE RIGHT OF EMINENT DOMAIN
21 WHICH MAY BE EXERCISED, EITHER WITHIN OR WITHOUT THE
22 METROPOLITAN AREA, TO ACQUIRE PRIVATE PROPERTY AND PROPERTY
23 DEVOTED TO ANY PUBLIC USE WHICH IS NECESSARY FOR THE PURPOSES OF
24 THE AUTHORITY, EXCEPT PROPERTY OF A PUBLIC UTILITY OPERATING
25 TRANSPORTATION FACILITIES EXTENDING BEYOND THE BOUNDARIES OF THE
26 METROPOLITAN AREA: PROVIDED, HOWEVER, THE AUTHORITY SHALL HAVE
27 THE RIGHT OF EMINENT DOMAIN TO ACQUIRE PROPERTY OF ANY RAILROAD
28 WHICH PROPERTY IS NOT USED FOR OR IN CONNECTION WITH THE
29 TRANSPORTATION OF PERSONS OR PROPERTY AND TO ACQUIRE RIGHTS AND
30 EASEMENTS ACROSS, UNDER OR OVER THE RIGHT-OF-WAY OF SUCH

1 RAILROAD WHENEVER THE AUTHORITY SHALL ACQUIRE THE PRIVATE RIGHT-
2 OF-WAY OR OTHER PROPERTY OF A PUBLIC UTILITY USED OR USEFUL IN
3 ITS SERVICE TO THE PUBLIC. IT SHALL BEFORE REQUIRING THE REMOVAL
4 OF THE EXISTING STRUCTURES AND APPLIANCES PROVIDE A NEW LOCATION
5 FOR THE SAID STRUCTURES AND APPLIANCES, AND UPON THE COMPLETION
6 OF RELOCATION, REIMBURSE THE PUBLIC UTILITY FOR THE COST THEREOF
7 IN THE MANNER PROVIDED IN SUBSECTION (A).

8 (C) TITLE TO ANY PROPERTY ACQUIRED BY AN AUTHORITY THROUGH
9 EMINENT DOMAIN SHALL BE AN ABSOLUTE OWNERSHIP OR FEE SIMPLE
10 TITLE UNLESS A LESSER TITLE SHALL BE DESIGNATED SPECIFICALLY IN
11 THE EMINENT DOMAIN PROCEEDINGS. REAL AND PERSONAL PROPERTY OF
12 ANY KIND WHATEVER BELONGING TO A PUBLIC UTILITY CORPORATION
13 PROVIDING TRANSPORTATION OR TRANSPORTATION RELATED SERVICES, MAY
14 BE ACQUIRED WITHOUT THE APPROVAL OF THE PUBLIC UTILITY
15 COMMISSION: PROVIDED, HOWEVER, THAT IN ALL CASES INVOLVING THE
16 FACILITIES OF A RAILROAD, ANY OPERATIONS OF WHICH EXTEND BEYOND
17 THE METROPOLITAN AREA, THE EXERCISE OF THE POWER OF THE
18 AUTHORITY UNDER THIS SUBSECTION SHALL BE SUBJECT TO THE
19 JURISDICTION OF THAT COMMISSION UNDER TITLE 66 OF THE
20 PENNSYLVANIA CONSOLIDATED STATUTES (RELATING TO PUBLIC
21 UTILITIES).

22 (D) NO PROPERTY OWNED OR USED BY THE UNITED STATES, THE
23 COMMONWEALTH, ANY POLITICAL SUBDIVISION THEREOF, OR ANY BODY
24 POLITIC AND CORPORATE ORGANIZED AS AN "AUTHORITY" UNDER ANY LAW
25 OF THE COMMONWEALTH OR BY ANY AGENCY OF ANY OF THEM, NOR
26 PROPERTY USED FOR BURIAL PURPOSES OR PLACES OF PUBLIC WORSHIP,
27 SHALL BE TAKEN UNDER THE RIGHT OF EMINENT DOMAIN WITHOUT THE
28 CONSENT OF THE OWNER OR USER THEREOF.

29 (E) BEFORE EXERCISING THE POWER OF EMINENT DOMAIN,
30 REASONABLE EFFORTS SHALL BE MADE BY THE AUTHORITY TO ACHIEVE THE

1 DESIRED RESULT THROUGH NEGOTIATION.

2 SECTION ~~211~~ 310. USE OF WAYS OCCUPIED BY OTHER PASSENGER <—
3 UTILITIES.-- THE AUTHORITY SHALL NOT HAVE THE RIGHT TO USE ANY
4 STREET OR PUBLIC WAY, PRESENTLY OCCUPIED BY A PUBLIC UTILITY
5 ENGAGED IN LOCAL PASSENGER TRANSPORTATION, FOR A COMPETING
6 PURPOSE, WITHOUT THE AGREEMENT OF SUCH PUBLIC UTILITY.

7 SECTION ~~212~~ 311. LOANS, BONDS AND CERTIFICATES; TRUST <—
8 INDENTURES.-- (A) THE AUTHORITY SHALL HAVE THE CONTINUING POWER
9 TO BORROW MONEY FOR THE PURPOSE OF ACQUIRING ANY TRANSPORTATION
10 SYSTEM (INCLUDING ANY CASH FUNDS OF SUCH SYSTEM RESERVED TO
11 REPLACE WORN OUT OR OBSOLETE EQUIPMENT AND FACILITIES) AND FOR
12 ACQUIRING NECESSARY CASH WORKING FUNDS OR FOR ACQUIRING,
13 CONSTRUCTING, RECONSTRUCTING, EXTENDING OR IMPROVING ITS
14 TRANSPORTATION SYSTEM OR ANY PART THEREOF AND FOR ACQUIRING ANY
15 PROPERTY AND EQUIPMENT USEFUL FOR THE CONSTRUCTION,
16 RECONSTRUCTION, EXTENSION, IMPROVEMENT OR OPERATION OF ITS
17 TRANSPORTATION SYSTEM OR ANY PART THEREOF, AND FOR ANY OTHER OF
18 ITS CORPORATE PURPOSES. THE AUTHORITY SHALL ALSO HAVE THE
19 CONTINUING POWER TO ISSUE AND DELIVER EVIDENCE OF ITS
20 INDEBTEDNESS IN PAYMENT IN WHOLE OR IN PART FOR ALL OR ANY PART
21 OF ANY TRANSPORTATION SYSTEM, OR ANY BONDS, SHARES OR OTHER
22 SECURITIES OF ANY CORPORATION OWNING OR OPERATING ANY SUCH
23 SYSTEM, OR ANY FRANCHISES, PROPERTY, EQUIPMENT OR INTERESTS
24 ACQUIRED OR TO BE ACQUIRED BY THE AUTHORITY. FOR THE PURPOSE OF
25 EVIDENCING THE OBLIGATION OF THE AUTHORITY TO REPAY ANY MONEY
26 BORROWED AS AFORESAID, OR TO PAY ANY INDEBTEDNESS INCURRED IN
27 CONNECTION WITH THE ACQUISITION OF ALL OR ANY PART OF ANY
28 TRANSPORTATION SYSTEM, OR ANY BONDS, SHARES OR OTHER SECURITIES
29 OF ANY CORPORATION OWNING OR OPERATING ANY SUCH SYSTEM, OR ANY
30 FRANCHISES, PROPERTY, EQUIPMENT OR INTERESTS AS AFORESAID, THE

1 AUTHORITY MAY, PURSUANT TO RESOLUTION ADOPTED BY THE BOARD, FROM
2 TIME TO TIME, ISSUE AND DISPOSE OF ITS INTEREST-BEARING BONDS OR
3 CERTIFICATES AND MAY ALSO, FROM TIME TO TIME, ISSUE AND DISPOSE
4 OF ITS INTEREST-BEARING BONDS OR CERTIFICATES, TO REFUND ANY
5 BONDS OR CERTIFICATES AT MATURITY OR PURSUANT TO REDEMPTION
6 PROVISIONS OR AT ANY TIME BEFORE MATURITY WITH THE CONSENT OF
7 THE HOLDERS THEREOF. ALL SUCH BONDS AND CERTIFICATES SHALL BE
8 PAYABLE SOLELY FROM THE REVENUES OR INCOME TO BE DERIVED FROM
9 THE TRANSPORTATION SYSTEM INCLUDING GRANTS, GIFTS OR
10 CONTRIBUTIONS FROM THE FEDERAL, STATE OR LOCAL GOVERNMENTS,
11 THEIR AGENCIES OR INSTRUMENTALITIES, OR ANY OTHER SOURCE; MAY
12 BEAR SUCH DATE OR DATES; MAY MATURE AT SUCH TIME OR TIMES NOT
13 EXCEEDING FORTY YEARS FROM THEIR RESPECTIVE DATES; MAY BEAR
14 INTEREST AT SUCH RATE OR RATES; MAY BE IN SUCH FORM; MAY CARRY
15 SUCH REGISTRATION PRIVILEGES; MAY BE EXECUTED IN SUCH MANNER;
16 MAY BE PAYABLE AT SUCH PLACE OR PLACES; MAY BE MADE SUBJECT TO
17 REDEMPTION IN SUCH MANNER AND UPON SUCH TERMS WITH OR WITHOUT
18 PREMIUM AS IS STATED ON THE FACE THEREOF; MAY BE AUTHENTICATED
19 IN SUCH MANNER AND MAY CONTAIN SUCH TERMS AND COVENANTS, ALL AS
20 MAY BE AUTHORIZED BY THE BOARD. NOTWITHSTANDING THE FORM OR
21 TENOR THEREOF, AND IN THE ABSENCE OF AN EXPRESS RECITAL ON THE
22 FACE THEREOF THAT IT IS NONNEGOTIABLE, ALL SUCH BONDS AND
23 CERTIFICATES SHALL BE NEGOTIABLE INSTRUMENTS. PENDING THE
24 PREPARATION AND EXECUTION OF ANY SUCH BONDS OR CERTIFICATES,
25 TEMPORARY BONDS OR CERTIFICATES MAY BE ISSUED WITH OR WITHOUT
26 INTEREST COUPONS AS MAY BE AUTHORIZED BY THE BOARD.

27 (B) TO SECURE THE PAYMENT OF ANY OR ALL OF SUCH BONDS OR
28 CERTIFICATES AND FOR THE PURPOSE OF SETTING FORTH THE COVENANTS
29 AND UNDERTAKING OF THE AUTHORITY IN CONNECTION WITH THE ISSUANCE
30 THEREOF AND THE ISSUANCE OF ANY ADDITIONAL BONDS OR CERTIFICATES

1 PAYABLE FROM SUCH REVENUE OR INCOME AS WELL AS THE USE AND
2 APPLICATION OF THE REVENUE OR INCOME TO BE DERIVED FROM THE
3 TRANSPORTATION SYSTEM, THE AUTHORITY MAY EXECUTE AND DELIVER A
4 TRUST INDENTURE OR INDENTURES. A REMEDY FOR ANY BREACH OR
5 DEFAULT OF THE TERMS OF ANY SUCH TRUST INDENTURE BY THE
6 AUTHORITY MAY BE BY MANDAMUS OR INJUNCTION PROCEEDING, OR OTHER
7 PROCEEDING IN LAW OR IN EQUITY IN ANY COURT OF COMPETENT
8 JURISDICTION TO COMPEL PERFORMANCE AND COMPLIANCE THEREWITH, BUT
9 THE TRUST INDENTURE MAY PRESCRIBE BY WHOM OR ON WHOSE BEHALF
10 SUCH ACTION MAY OR MAY NOT BE INSTITUTED.

11 (C) UNDER NO CIRCUMSTANCES SHALL ANY BONDS OR CERTIFICATES
12 ISSUED BY THE AUTHORITY OR ANY OTHER OBLIGATION OF THE AUTHORITY
13 BE OR BECOME AN INDEBTEDNESS OR OBLIGATION OF THE COMMONWEALTH
14 OR OF ANY POLITICAL SUBDIVISION THEREOF.

15 (D) BEFORE ANY SUCH BONDS OR CERTIFICATES (EXCEPTING
16 REFUNDING BONDS OR CERTIFICATES AND BONDS OR CERTIFICATES ISSUED
17 IN PAYMENT IN WHOLE OR IN PART OF ALL OR ANY PART OF ANY
18 TRANSPORTATION SYSTEM, OR ANY BONDS, SHARES OR OTHER SECURITIES
19 OF ANY CORPORATION OWNING OR OPERATING ANY SUCH SYSTEM, OR ANY
20 FRANCHISES, PROPERTY, EQUIPMENT OR INTERESTS) ARE SOLD, THE
21 ENTIRE AUTHORIZED ISSUE OR ANY PART THEREOF SHALL BE OFFERED FOR
22 SALE AS A UNIT AFTER ADVERTISING FOR BIDS AT LEAST THREE TIMES
23 IN A DAILY NEWSPAPER OF GENERAL CIRCULATION PUBLISHED IN THE
24 METROPOLITAN AREA, THE LAST PUBLICATION TO BE AT LEAST TEN DAYS
25 BEFORE BIDS ARE REQUIRED TO BE FILED. COPIES OF SUCH
26 ADVERTISEMENT MAY BE PUBLISHED IN ANY NEWSPAPER OR FINANCIAL
27 PUBLICATION IN THE UNITED STATES. ALL BIDS SHALL BE SEALED,
28 FILED AND PUBLICLY OPENED AS AUTHORIZED BY THE BOARD, AND THE
29 BONDS OR CERTIFICATES SHALL BE AWARDED TO THE HIGHEST
30 RESPONSIBLE BIDDER OR BIDDERS THEREFOR. THE AUTHORITY SHALL HAVE

1 THE RIGHT TO REJECT ALL BIDS AND READVERTISE FOR BIDS IN THE
2 MANNER PROVIDED FOR IN THE INITIAL ADVERTISEMENT. HOWEVER, IF NO
3 BIDS ARE RECEIVED, SUCH BONDS OR CERTIFICATES MAY BE SOLD AT NOT
4 LESS THAN PAR VALUE AND ACCRUED INTEREST WITHOUT FURTHER
5 ADVERTISING WITHIN SIXTY DAYS AFTER THE BIDS ARE REQUIRED TO BE
6 FILED PURSUANT TO ANY ADVERTISEMENT. THE FOREGOING REQUIREMENTS
7 OF COMPETITIVE BIDDING SHALL NOT BE APPLICABLE TO BONDS OR
8 CERTIFICATES OR OTHER EVIDENCES OF INDEBTEDNESS ISSUED IN
9 PAYMENT IN WHOLE OR IN PART FOR ALL OR ANY PART OF ANY
10 TRANSPORTATION SYSTEM, OR ANY BONDS, SHARES OR OTHER SECURITIES
11 OF ANY CORPORATION OWNING OR OPERATING ANY SUCH SYSTEM, OR ANY
12 FRANCHISES, PROPERTY, EQUIPMENT OR INTERESTS ACQUIRED OR TO BE
13 ACQUIRED BY THE AUTHORITY, NOR SHALL SUCH REQUIREMENTS BE
14 APPLICABLE TO NOTES ISSUED BY THE AUTHORITY WHICH MATURE IN NOT
15 MORE THAN THREE YEARS FROM DATE OF ISSUE AND WHICH ARE ISSUED IN
16 ANTICIPATION OF FINANCING OVER A LONGER TERM.

17 (E) THE BONDS OF THE AUTHORITY CREATED UNDER THE PROVISIONS
18 OF THIS ACT ARTICLE, THE SALE OR TRANSFER THEREOF, AND THE <—
19 INCOME THEREFROM SHALL, AT ALL TIMES, BE FREE FROM TAXATION FOR
20 STATE OR LOCAL PURPOSES UNDER ANY LAW OF THIS COMMONWEALTH OR
21 POLITICAL SUBDIVISION THEREOF.

22 (F) NEITHER THE BOARD MEMBERS OF THE AUTHORITY NOR ANY
23 PERSON EXECUTING THE BONDS SHALL BE LIABLE PERSONALLY ON ANY
24 SUCH BONDS BY REASON OF THE ISSUANCE THEREOF.

25 (G) BONDS OF THE AUTHORITY WHICH ARE SOLD FOR CASH MAY BE
26 SOLD AT NOT LESS THAN NINETY-FIVE PERCENT OF PAR AND ACCRUED
27 INTEREST. IN CASE ANY OF THE OFFICERS OF THE AUTHORITY, WHOSE
28 SIGNATURES APPEAR ON ANY BONDS OR COUPONS SHALL CEASE TO BE
29 OFFICERS BEFORE THE DELIVERY OF SUCH BONDS, THEIR SIGNATURES
30 SHALL, NEVERTHELESS, BE VALID AND SUFFICIENT FOR ALL PURPOSES.

1 THE SAME AS IF SUCH OFFICERS HAD REMAINED IN OFFICE UNTIL SUCH
2 DELIVERY.

3 (H) ANY BOND RECITING IN SUBSTANCE THAT HAS BEEN ISSUED BY
4 THE AUTHORITY TO ACCOMPLISH THE PUBLIC PURPOSES OF THIS ACT <—
5 ARTICLE, SHALL BE CONCLUSIVELY DEEMED IN ANY SUIT, ACTION OR
6 PROCEEDING INVOLVING THE VALIDITY OR ENFORCEABILITY OF SUCH BOND
7 OR SECURITY THEREFOR TO HAVE BEEN ISSUED FOR SUCH PURPOSE.

8 SECTION ~~213~~ 312. ACQUISITION OF EQUIPMENT; AGREEMENTS AND <—
9 LEASES.-- (A) THE AUTHORITY SHALL HAVE POWER TO PURCHASE
10 EQUIPMENT SUCH AS CARS, TROLLEY BUSES AND MOTOR BUSES AND MAY
11 EXECUTE AGREEMENTS, LEASES AND EQUIPMENT TRUST CERTIFICATES IN
12 THE FORM CUSTOMARILY USED IN SUCH CASES APPROPRIATE TO EFFECT
13 SUCH PURCHASE, AND MAY DISPOSE OF SUCH EQUIPMENT TRUST
14 CERTIFICATES: PROVIDED, HOWEVER, THAT WHEREVER FEASIBLE, SUCH
15 CERTIFICATES SHALL BE OFFERED FOR PUBLIC SALE IN A MANNER
16 SIMILAR TO THAT PROVIDED FOR THE SALE OF BONDS IN THIS ACT <—
17 ARTICLE. ALL MONEY REQUIRED TO BE PAID BY THE AUTHORITY UNDER
18 THE PROVISIONS OF SUCH AGREEMENTS, LEASES, AND EQUIPMENT TRUST
19 CERTIFICATES, SHALL BE PAYABLE SOLELY FROM THE REVENUE OR INCOME
20 TO BE DERIVED FROM THE TRANSPORTATION SYSTEM AND FROM GRANTS AND
21 LOANS AS PROVIDED ELSEWHERE IN THIS ACT ARTICLE. PAYMENT FOR <—
22 SUCH EQUIPMENT OR RENTALS THEREFOR MAY BE MADE IN INSTALLMENTS
23 AND THE DEFERRED INSTALLMENTS MAY BE EVIDENCED BY EQUIPMENT
24 TRUST CERTIFICATES PAYABLE SOLELY FROM SUCH REVENUE, INCOME,
25 GRANTS OR LOANS AND TITLE TO SUCH EQUIPMENT SHALL NOT VEST IN
26 THE AUTHORITY UNTIL THE EQUIPMENT TRUST CERTIFICATES ARE PAID.

27 (B) THE AGREEMENT TO PURCHASE MAY DIRECT THE VENDOR TO SELL
28 AND ASSIGN THE EQUIPMENT TO A BANK OR TRUST COMPANY DULY
29 AUTHORIZED TO TRANSACT BUSINESS IN THE COMMONWEALTH AS TRUSTEE
30 FOR THE BENEFIT AND SECURITY OF THE EQUIPMENT TRUST CERTIFICATES

1 AND MAY DIRECT THE TRUSTEE TO DELIVER THE EQUIPMENT TO ONE OR
2 MORE DESIGNATED OFFICERS OF THE AUTHORITY AND MAY AUTHORIZE THE
3 TRUSTEE SIMULTANEOUSLY THEREWITH TO EXECUTE AND DELIVER A LEASE
4 OF THE EQUIPMENT TO THE AUTHORITY.

5 (C) THE AGREEMENTS AND LEASES SHALL BE DULY ACKNOWLEDGED
6 BEFORE SOME PERSON AUTHORIZED BY LAW TO TAKE ACKNOWLEDGMENTS OF
7 DEEDS AND IN THE FORM REQUIRED FOR ACKNOWLEDGMENTS OF DEEDS, AND
8 SUCH AGREEMENTS, LEASES AND EQUIPMENT TRUST CERTIFICATES SHALL
9 BE AUTHORIZED BY RESOLUTION OF THE BOARD AND SHALL CONTAIN SUCH
10 COVENANTS, CONDITIONS AND PROVISIONS AS MAY BE DEEMED NECESSARY
11 OR APPROPRIATE TO INSURE THE PAYMENT OF THE EQUIPMENT TRUST
12 CERTIFICATES FROM THE REVENUE OR INCOME TO BE DERIVED FROM THE
13 TRANSPORTATION SYSTEM.

14 (D) THE COVENANTS, CONDITIONS AND PROVISIONS OF THE
15 AGREEMENTS, LEASES AND EQUIPMENT TRUST CERTIFICATES SHALL NOT
16 CONFLICT WITH ANY OF THE PROVISIONS OF ANY TRUST INDENTURE
17 SECURING THE PAYMENT OF BONDS OR CERTIFICATES OF THE AUTHORITY.

18 (E) AN EXECUTED COPY OF EACH SUCH AGREEMENT AND LEASE SHALL
19 BE FILED IN THE OFFICE OF THE SECRETARY OF THE COMMONWEALTH WHO
20 SHALL BE ENTITLED TO RECEIVE ONE DOLLAR FOR EACH SUCH COPY FILED
21 WITH HIM, AND WHICH FILING SHALL CONSTITUTE NOTICE TO ANY
22 SUBSEQUENT JUDGMENT CREDITOR OR ANY SUBSEQUENT PURCHASER. EACH
23 VEHICLE SO PURCHASED AND LEASED SHALL HAVE THE NAME OF THE OWNER
24 AND LESSOR PLAINLY MARKED UPON BOTH SIDES THEREOF, FOLLOWED BY
25 THE WORDS "OWNER AND LESSOR."

26 (F) AN AUTHORITY SHALL HAVE POWER BY THE RESOLUTION, TRUST,
27 INDENTURE, MORTGAGE, LEASE OR OTHER CONTRACT TO CONFER UPON ANY
28 OBLIGEEES HOLDING OR REPRESENTING A SPECIFIED PERCENTAGE IN
29 BONDS, OR HOLDING A LEASE, THE RIGHT, IN ADDITION TO ALL RIGHTS
30 THAT MAY OTHERWISE BE CONFERRED, UPON THE HAPPENING OF AN EVENT

1 OF DEFAULT AS DEFINED IN SUCH RESOLUTION OR INSTRUMENT, BY SUIT,
2 ACTION OR PROCEEDING IN ANY COURT OF COMPETENT JURISDICTION:

3 (1) TO OBTAIN THE APPOINTMENT OF A RECEIVER OF ANY REAL
4 PROPERTY OF THE AUTHORITY AND OF THE RENTS AND PROFITS
5 THEREFROM. IF SUCH RECEIVER BE APPOINTED, HE MAY ENTER AND TAKE
6 POSSESSION OF SUCH REAL PROPERTY, OPERATE THE SAME AND COLLECT
7 AND RECEIVE ALL REVENUES OR OTHER INCOME THEREAFTER ARISING
8 THEREFROM, AND SHALL KEEP SUCH MONEYS IN A SEPARATE ACCOUNT AND
9 APPLY THE SAME IN ACCORDANCE WITH THE OBLIGATIONS OF THE
10 AUTHORITY AS THE COURT SHALL DIRECT.

11 (2) TO REQUIRE THE AUTHORITY, AND THE BOARD MEMBERS THEREOF,
12 TO ACCOUNT AS IF IT AND THEY WERE THE TRUSTEES OF AN EXPRESS
13 TRUST.

14 SECTION ~~214~~ 313. PROVISIONS OF BONDS; TRUST INDENTURES.--IN <—
15 CONNECTION WITH THE ISSUANCE OF BONDS OR THE INCURRING OF
16 OBLIGATIONS UNDER LEASES, AND IN ORDER TO SECURE THE PAYMENT OF
17 SUCH BONDS OR OBLIGATIONS, THE AUTHORITY, IN ADDITION TO ITS
18 OTHER POWERS, SHALL HAVE POWER:

19 (1) TO PLEDGE ALL OR ANY PART OF ITS GROSS OR NET REVENUES
20 TO WHICH ITS RIGHT THEN EXISTS OR MAY THEREAFTER COME INTO
21 EXISTENCE.

22 (2) TO MORTGAGE ALL OR ANY PART OF ITS REAL OR PERSONAL
23 PROPERTY THEN OWNED OR THEREAFTER ACQUIRED.

24 (3) TO COVENANT AGAINST PLEDGING ALL OR ANY PART OF ITS
25 REVENUES, OR AGAINST MORTGAGING ALL OR ANY PART OF ITS REAL OR
26 PERSONAL PROPERTY TO WHICH ITS RIGHT OR TITLE EXISTS OR MAY
27 THEREAFTER COME INTO EXISTENCE, OR AGAINST PERMITTING OR
28 SUFFERING ANY LIEN ON SUCH REVENUES OR PROPERTY TO COVENANT WITH
29 RESPECT TO LIMITATIONS ON ITS RIGHT TO SELL, LEASE OR OTHERWISE
30 DISPOSE OF ANY OF ITS REAL PROPERTY, AND TO COVENANT AS TO WHAT

1 OTHER OR ADDITIONAL DEBTS OR OBLIGATIONS MAY BE INCURRED BY IT.

2 (4) TO COVENANT AS TO THE BONDS TO BE ISSUED AND AS TO THE
3 ISSUANCE OF SUCH BONDS, IN ESCROW, OR OTHERWISE, AND AS TO THE
4 USE AND DISPOSITION OF THE PROCEEDS THEREOF, TO PROVIDE FOR THE
5 REPLACEMENT OF LOST, DESTROYED, OR MUTILATED BONDS, TO COVENANT
6 AGAINST EXTENDING THE TIME FOR THE PAYMENT OF ITS BONDS OR
7 INTEREST THEREON, AND TO REDEEM THE BONDS AND TO COVENANT FOR
8 THEIR REDEMPTION AND TO PROVIDE THE TERMS AND CONDITIONS
9 THEREOF.

10 (5) TO COVENANT, SUBJECT TO THE LIMITATIONS CONTAINED IN
11 THIS ~~ACT~~ ARTICLE, AS TO THE AMOUNT OF REVENUES TO BE RAISED EACH <—
12 YEAR, OR OTHER PERIOD OF TIME, AS WELL AS TO THE USE AND
13 DISPOSITION TO BE MADE THEREOF, TO CREATE OR TO AUTHORIZE THE
14 CREATION OF SPECIAL FUNDS FOR DEBT SERVICE OR OTHER PURPOSES,
15 AND TO COVENANT AS TO THE USE AND DISPOSITION OF THE MONEYS HELD
16 IN SUCH FUNDS.

17 (6) TO PRESCRIBE THE PROCEDURE, IF ANY, BY WHICH THE TERMS
18 OF ANY CONTRACT WITH BONDHOLDERS MAY BE AMENDED OR ABROGATED,
19 THE AMOUNT OF BONDS, THE HOLDERS OF WHICH MUST CONSENT THERETO,
20 AND THE MANNER IN WHICH SUCH CONSENT MAY BE GIVEN.

21 (7) TO COVENANT AS TO THE USE OF ANY OR ALL OF ITS REAL OR
22 PERSONAL PROPERTY, TO WARRANT ITS TITLE, AND TO COVENANT AS TO
23 THE MAINTENANCE OF ITS REAL AND PERSONAL PROPERTY, THE
24 REPLACEMENT THEREOF, THE INSURANCE TO BE CARRIED THEREON, AND
25 THE USE AND DISPOSITION OF INSURANCE MONEYS.

26 (8) TO COVENANT AS TO THE RIGHTS, LIABILITIES, POWERS AND
27 DUTIES ARISING UPON THE BREACH BY IT OF ANY COVENANT, CONDITION
28 OR OBLIGATION, AND TO COVENANT AND PRESCRIBE, IN THE EVENT OF
29 DEFAULT, AS TO TERMS AND CONDITIONS UPON WHICH ANY OR ALL OF ITS
30 BONDS OR OBLIGATIONS SHALL BECOME OR MAY BE DECLARED DUE BEFORE

1 MATURITY, AND AS TO THE TERMS AND CONDITIONS UPON WHICH SUCH
2 DECLARATION AND ITS CONSEQUENCES MAY BE WAIVED.

3 (9) TO VEST IN A TRUSTEE, OR THE HOLDERS OF BONDS, OR ANY
4 PROPORTION OF THEM, THE RIGHT TO ENFORCE THE PAYMENT OF THE
5 BONDS OR ANY COVENANTS SECURING OR RELATING TO THE BONDS, TO
6 VEST IN A TRUSTEE THE RIGHT, IN THE EVENT OF A DEFAULT BY THE
7 AUTHORITY, TO TAKE POSSESSION AND USE, OPERATE AND MANAGE ANY
8 REAL PROPERTY AND TO COLLECT THE RENTS AND REVENUES ARISING
9 THEREFROM AND TO DISPOSE OF SUCH MONEYS IN ACCORDANCE WITH THE
10 AGREEMENT OF THE AUTHORITY WITH SUCH TRUSTEE, TO PROVIDE FOR THE
11 POWERS AND DUTIES OF A TRUSTEE AND TO LIMIT LIABILITIES THEREOF,
12 AND TO PROVIDE THE TERMS AND CONDITIONS UPON WHICH THE TRUSTEE
13 OR THE HOLDERS OF BONDS OR ANY PROPORTION OF THEM MAY ENFORCE
14 ANY COVENANT OR RIGHTS SECURING OR RELATING TO THE BONDS.

15 (10) TO MAKE COVENANTS OTHER THAN, AND IN ADDITION TO, THE
16 COVENANTS HEREIN EXPRESSLY AUTHORIZED; TO MAKE SUCH COVENANTS
17 AND TO DO ANY AND ALL SUCH ACTS AND THINGS AS MAY BE NECESSARY
18 OR CONVENIENT OR DESIRABLE IN ORDER TO SECURE ITS BONDS, OR IN
19 THE ABSOLUTE DISCRETION OF THE AUTHORITY, AS WILL TEND TO
20 ACCOMPLISH THE PURPOSES OF THIS ACT ARTICLE, BY MAKING THE BONDS <—
21 MORE MARKETABLE NOTWITHSTANDING THAT SUCH COVENANTS, ACTS OR
22 THINGS MAY NOT BE ENUMERATED HEREIN.

23 SECTION ~~215~~ 314. BONDS AND CERTIFICATES TO BE LEGAL <—
24 INVESTMENTS.-- THE COMMONWEALTH AND ALL POLITICAL SUBDIVISIONS
25 AND PUBLIC BODIES AND PUBLIC OFFICERS OF ANY THEREOF, ALL BANKS,
26 BANKERS, TRUST COMPANIES, SAVING BANKS AND INSTITUTIONS,
27 BUILDING AND LOAN ASSOCIATIONS, SAVING AND LOAN ASSOCIATIONS,
28 INVESTMENT COMPANIES AND OTHER PERSONS CARRYING ON A BANKING
29 BUSINESS, ALL INSURANCE COMPANIES, INSURANCE ASSOCIATIONS AND
30 OTHER PERSONS CARRYING ON AN INSURANCE BUSINESS AND ALL

EXECUTORS, ADMINISTRATORS, GUARDIANS, TRUSTEES AND OTHER
FIDUCIARIES MAY LEGALLY INVEST ANY SINKING FUNDS, MONEYS OR
OTHER FUNDS BELONGING TO THEM OR WITHIN THEIR CONTROL IN ANY
BONDS OR CERTIFICATES ISSUED PURSUANT TO THIS ACT ARTICLE, IT
BEING THE PURPOSE OF THIS SECTION TO AUTHORIZE THE INVESTMENT IN
SUCH BONDS OR CERTIFICATES OF ALL SINKING, INSURANCE,
RETIREMENT, COMPENSATION, PENSION AND TRUST FUNDS, WHETHER OWNED
OR CONTROLLED BY PRIVATE OR PUBLIC PERSONS OR OFFICERS.

~~SECTION 216~~ 315. INVESTMENT AND REINVESTMENT OF FUNDS.--THE
AUTHORITY SHALL HAVE THE POWER TO INVEST AND REINVEST ANY FUNDS
HELD IN RESERVE OR SINKING FUNDS NOT REQUIRED FOR IMMEDIATE
DISBURSEMENT: ~~(A) IN THE FOLLOWING SECURITIES AS DEFINED IN THE~~
~~FIDUCIARIES INVESTMENT ACT OF 1949, AS AMENDED: OBLIGATIONS OF~~
~~THE UNITED STATES AND OF THE COMMONWEALTH OF PENNSYLVANIA AS~~
~~MORE FULLY DEFINED IN SECTION 3, SUBSECTION (1) AND MORE FULLY~~
~~DEFINED IN SECTION 3, SUBSECTIONS (1) AND (2) OF SUCH ACT;~~
~~OBLIGATIONS OF FEDERAL ORGANIZATIONS AS DEFINED IN SECTION 4 OF~~
~~SUCH ACT; AND (B) FOR SINKING FUND PURPOSES ONLY, IN BONDS OR~~

~~(1) IN OBLIGATIONS OF THE UNITED STATES AND OF THE~~
~~COMMONWEALTH OF PENNSYLVANIA AS DEFINED IN 20 PA.C.S. §~~
~~7303(1) AND (2) (RELATING TO GOVERNMENT OBLIGATIONS) AND~~
~~OBLIGATIONS OF FEDERAL ORGANIZATIONS AS DEFINED IN 20 PA.C.S.~~
~~§ 7304 (RELATING TO OBLIGATIONS OF FEDERAL ORGANIZATIONS);~~
~~AND~~

~~(2) FOR SINKING FUND PURPOSES ONLY, IN BONDS OR~~
~~CERTIFICATES OF THE AUTHORITY AT NOT TO EXCEED THEIR PAR~~
~~VALUE OR THEIR CALL PRICE PLUS ACCRUED INTEREST; AND TO SELL~~
~~ANY OF~~
~~AND TO SELL ANY OF THE SECURITIES ACQUIRED UNDER CLAUSE (A)~~
~~PARAGRAPH (1) WHENEVER THE FUNDS ARE NEEDED FOR DISBURSEMENT.~~

1 SUCH INVESTMENT OR REINVESTMENT OF ANY FUND SHALL NOT BE IN
2 CONFLICT WITH ANY PROVISIONS OF ANY TRUST AGREEMENT SECURING THE
3 PAYMENT OF BONDS OR CERTIFICATES OF THE AUTHORITY.

4 SECTION ~~217~~ 316. GOVERNING AND POLICYMAKING BODY; POLICY <—
5 MATTERS.--(A) THE GOVERNING AND POLICYMAKING BODY OF THE
6 AUTHORITY SHALL BE A BOARD, TO BE KNOWN AS THE TRANSPORTATION
7 BOARD OF THE METROPOLITAN AREA, CONSISTING OF MEMBERS TO BE
8 APPOINTED AS HEREINAFTER PROVIDED, WHO, EXCEPT FOR THE APPOINTEE
9 OF THE GOVERNOR, MUST BE RESIDENTS OF THE METROPOLITAN AREA. NO
10 BOARD MEMBER SHALL BE ALLOWED ANY FEES, PERQUISITES OR
11 EMOLUMENTS, REWARD OR COMPENSATION FOR HIS SERVICES AS A MEMBER
12 OR OFFICER OF THE AUTHORITY, BUT HE SHALL BE REIMBURSED FOR
13 ACTUAL EXPENSES INCURRED BY HIM IN THE PERFORMANCE OF HIS
14 DUTIES.

15 (B) THE BOARD SHALL NOT INVOLVE ITSELF IN THE DAY-TO-DAY
16 ADMINISTRATION OF THE AUTHORITY'S BUSINESS. IT SHALL LIMIT ITS
17 EXERCISE OF POWERS TO SUCH AREAS OF DISCRETION OR POLICY AS THE
18 FUNCTIONS AND PROGRAMS OF THE AUTHORITY, THE AUTHORITY'S
19 OPERATING AND CAPITAL BUDGETS, THE AUTHORITY'S STANDARD OF
20 SERVICES, UTILIZATION OF TECHNOLOGY, THE ORGANIZATIONAL
21 STRUCTURE AND SUBJECT TO THE PROVISIONS OF THIS ACT ARTICLE THE <—
22 SELECTION OF PERSONNEL AND THE ESTABLISHMENT OF SALARIES FOR
23 SUCH PERSONNEL.

24 SECTION ~~218~~ 317. APPOINTMENT OF BOARD MEMBERS.--(A) AT ANY <—
25 TIME AFTER THE EFFECTIVE DATE OF THIS ACT ARTICLE: <—

26 (1) THE GOVERNOR MAY APPOINT AS A MEMBER OF THE BOARD, ONE
27 PERSON, WHO MAY BE AN EX-OFFICIO APPOINTEE FROM AMONG THE
28 VARIOUS OFFICIALS IN THE GOVERNMENT OF THE COMMONWEALTH, AND
29 WHOSE TERM AS A BOARD MEMBER SHALL RUN CONCURRENTLY WITH THAT OF
30 HIS COMMONWEALTH POSITION, IF ANY, OR THE TERM OF THE APPOINTING

1 GOVERNOR, WHICHEVER IS SHORTER.

2 (2) THE COUNTY COMMISSIONERS OR THE COUNTY COUNCIL IN EACH
3 COUNTY, AND, IN ANY COUNTY OF THE FIRST CLASS CONTAINING A CITY
4 OF THE FIRST CLASS, THE MAYOR, WITH THE APPROVAL OF THE CITY
5 COUNCIL, MAY APPOINT TWO PERSONS FOR EACH COUNTY TO SERVE AS
6 BOARD MEMBERS.

7 (B) AT THE EXPIRATION OF THE TERM OF ANY BOARD MEMBER, HIS
8 SUCCESSOR SHALL BE APPOINTED BY THE SAME POWER WHO APPOINTED
9 HIM, FOR A TERM OF FIVE YEARS FROM SUCH EXPIRATION DATE.

10 (C) THE APPOINTING POWERS SHALL CERTIFY THEIR RESPECTIVE
11 APPOINTMENTS TO THE SECRETARY OF THE COMMONWEALTH. WITHIN THIRTY
12 DAYS AFTER CERTIFICATION OF HIS APPOINTMENT AND BEFORE ENTERING
13 UPON THE DUTIES OF HIS OFFICE, EACH MEMBER OF THE BOARD SHALL
14 TAKE AND SUBSCRIBE THE CONSTITUTIONAL OATH OF OFFICE AND FILE IT
15 IN THE OFFICE OF THE SECRETARY OF THE COMMONWEALTH.

16 SECTION ~~219~~ 318. RESIGNATION AND REMOVAL OF MEMBERS; <—
17 VACANCIES.--MEMBERS OF THE BOARD SHALL HOLD OFFICE UNTIL THEIR
18 RESPECTIVE SUCCESSORS HAVE BEEN APPOINTED AND HAVE QUALIFIED.
19 THE APPOINTING POWER MAY REMOVE ANY MEMBER OF THE BOARD
20 APPOINTED BY HIM OR THEM, BUT ONLY IN CASE OF INCOMPETENCY,
21 NEGLECT OF DUTY OR MALFEASANCE IN OFFICE. NO MEMBER SHALL BE
22 THUS REMOVED EXCEPT AFTER HAVING BEEN GIVEN A COPY OF THE
23 CHARGES AGAINST HIM AND AN OPPORTUNITY TO BE PUBLICLY HEARD, AT
24 A PLACE IN THE METROPOLITAN AREA, IN PERSON OR BY COUNSEL, IN
25 HIS OWN DEFENSE UPON NOT LESS THAN TEN DAYS' WRITTEN NOTICE. IN
26 CASE OF FAILURE TO QUALIFY WITHIN THE TIME REQUIRED OR OF
27 ABANDONMENT OF HIS OFFICE OR IN CASE OF DEATH, CONVICTION OF A
28 FELONY OR REMOVAL FROM OFFICE, HIS OFFICE SHALL BECOME VACANT. A
29 MEMBER SHALL BE DEEMED TO HAVE ABANDONED HIS OFFICE UPON FAILURE
30 TO ATTEND ANY REGULAR OR SPECIAL MEETING OF THE BOARD, WITHOUT

1 EXCUSE APPROVED BY RESOLUTION OF THE BOARD, FOR A PERIOD OF FOUR
2 MONTHS, OR UPON REMOVAL OF HIS RESIDENCE FROM THE METROPOLITAN
3 AREA. EACH VACANCY SHALL BE FILLED FOR THE UNEXPIRED TERM BY
4 APPOINTMENT IN LIKE MANNER AND WITH LIKE REGARD AS TO THE PLACE
5 OF RESIDENCE OF THE APPOINTEE AS IN CASE OF EXPIRATION OF THE
6 TERM OF A MEMBER OF THE BOARD. A MEMBER REMOVED FOR
7 INCOMPETENCY, NEGLECT OF DUTY OR MALFEASANCE IN OFFICE SHALL
8 HAVE THE RIGHT TO APPEAL SUCH REMOVAL TO THE COURT OF COMMON
9 PLEAS OF THE COUNTY FOR WHICH HE WAS APPOINTED, BUT ONLY ON THE
10 GROUND OF ERROR OF LAW OR MANIFEST AND FLAGRANT ABUSE OF
11 DISCRETION.

12 SECTION 220 319. MEETINGS, QUORUM, APPROVAL OF RESOLUTIONS; <—
13 ELECTION OF CHAIRMAN.--(A) REGULAR MEETINGS OF THE BOARD SHALL
14 BE HELD IN THE METROPOLITAN AREA AT LEAST ONCE IN EACH CALENDAR
15 MONTH EXCEPT JULY OR AUGUST, THE TIME AND PLACE OF SUCH MEETINGS
16 TO BE FIXED BY THE BOARD. A MAJORITY OF THE BOARD SHALL
17 CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS. ALL ACTION
18 OF THE BOARD SHALL BE BY RESOLUTION AND THE AFFIRMATIVE VOTE OF
19 A MAJORITY OF ALL THE MEMBERS SHALL BE NECESSARY FOR THE
20 ADOPTION OF ANY RESOLUTION: PROVIDED, HOWEVER, THAT NO ACTION BY
21 THE BOARD, TO WHICH AN EXPRESS OBJECTION HAS BEEN MADE, PURSUANT
22 TO THIS SECTION, BY A BOARD MEMBER OR MEMBERS REPRESENTING A
23 COUNTY OR COUNTIES HAVING ONE-THIRD OR MORE OF THE POPULATION OF
24 THE METROPOLITAN AREA, AS DETERMINED BY THE MOST RECENT
25 DECENNIAL CENSUS, SHALL BE CARRIED UNLESS SUPPORTED AT A
26 SUBSEQUENT REGULAR MEETING OF THE BOARD BY THE VOTES OF AT LEAST
27 THREE-QUARTERS OF THE MEMBERSHIP OF THE BOARD. IN CASE OF
28 DISAGREEMENT BETWEEN MEMBERS REPRESENTING THE SAME COUNTY, EACH
29 MEMBER SHALL BE DEEMED TO REPRESENT ONE-HALF OF THE POPULATION
30 OF THAT COUNTY.

1 (B) THE BOARD SHALL ELECT FROM AMONG ITS MEMBERS A CHAIRMAN
2 AND A VICE-CHAIRMAN, WHO SHALL SERVE FOR A TERM OF ONE YEAR AND
3 UNTIL THEIR SUCCESSORS SHALL HAVE BEEN ELECTED AND QUALIFIED,
4 AND SHALL PERFORM SUCH DUTIES AS THE BOARD SHALL, BY RESOLUTION,
5 DETERMINE.

6 (C) ALL RESOLUTIONS AND ALL PROCEEDINGS OF THE AUTHORITY AND
7 ALL DOCUMENTS AND RECORDS IN ITS POSSESSION SHALL BE PUBLIC
8 RECORDS AND OPEN TO PUBLIC INSPECTION, EXCEPT SUCH DOCUMENTS AND
9 RECORDS AS SHALL BE KEPT OR PREPARED BY THE BOARD FOR USE IN
10 NEGOTIATIONS, ACTIONS OR PROCEEDINGS TO WHICH THE AUTHORITY IS
11 OR MAY BECOME A PARTY.

12 SECTION 221 320. SECRETARY, OATH, BOND.--THE BOARD SHALL <—
13 APPOINT A SECRETARY WHO SHALL NOT BE A MEMBER OF THE BOARD, TO
14 HOLD OFFICE DURING THE PLEASURE OF THE BOARD AND SHALL FIX SUCH
15 PERSON'S DUTIES AND COMPENSATION. THE SECRETARY SHALL NOT BE
16 ENGAGED IN ANY OTHER BUSINESS OR EMPLOYMENT DURING HIS OR HER
17 TENURE OF OFFICE AS SECRETARY OF THE BOARD. BEFORE ENTERING UPON
18 THE DUTIES OF HIS OR HER OFFICE HE OR SHE SHALL TAKE AND
19 SUBSCRIBE THE CONSTITUTIONAL OATH OF OFFICE. OFFICERS AND
20 EMPLOYEES OF THE AUTHORITY, AND SUCH MEMBERS OF THE BOARD AS THE
21 BOARD MAY DETERMINE, SHALL EXECUTE CORPORATE SURETY BONDS,
22 CONDITIONED UPON THE FAITHFUL PERFORMANCE OF THEIR RESPECTIVE
23 DUTIES. A BLANKET FORM OF SURETY BOND MAY BE USED FOR THIS
24 PURPOSE IF THE BOARD DEEMS SUCH PROCEDURE TO BE PRACTICAL AND
25 PRUDENT. THE OBLIGATION OF THE SURETIES SHALL NOT EXTEND TO ANY
26 LOSS SUSTAINED BY THE INSOLVENCY, FAILURE OR CLOSING OF ANY
27 NATIONAL OR STATE BANK WHEREIN FUNDS OF THE AUTHORITY HAVE BEEN
28 DEPOSITED IF THE BANK HAS BEEN APPROVED BY THE BOARD AS A
29 DEPOSITORY FOR THESE FUNDS. THE OATHS OF OFFICE AND THE SURETY
30 BOND OR BONDS SHALL BE FILED IN THE PRINCIPAL OFFICE OF THE

1 AUTHORITY.

2 SECTION 222 321. CONTROLLER.--THE BOARD SHALL APPOINT A <—
3 CONTROLLER, WHO SHALL NOT BE A MEMBER OF THE BOARD, TO HOLD
4 OFFICE DURING THE PLEASURE OF THE BOARD AND SHALL FIX HIS OR HER
5 COMPENSATION. THE CONTROLLER SHALL CONDUCT A MONTHLY EXAMINATION
6 OF THE BOOKS, ACCOUNTS, DOCUMENTS AND PAPERS OF THE AUTHORITY
7 AND REPORT THE RESULTS OF HIS OR HER INVESTIGATION TO THE BOARD
8 AND THE CHIEF OPERATIONS OFFICER. THE CONTROLLER SHALL SUBMIT AN
9 ANNUAL REPORT OF THE AUTHORITY'S FINANCIAL CONDITION WHICH SHALL
10 BE IN ADDITION TO ANY OTHER FINANCIAL REPORT REQUIRED BY THIS
11 ACT ARTICLE TO THE BOARD AND THE CHIEF OPERATIONS OFFICER. THE <—
12 CONTROLLER SHALL EXECUTE A CORPORATE SURETY BOND AND SHALL TAKE
13 AND SUBSCRIBE THE OATH OF OFFICE PROVIDED IN SECTION 219 318. <—

14 SECTION 223 322. TREASURER.--THE CHIEF OPERATIONS OFFICER <—
15 SHALL APPOINT A TREASURER TO HOLD OFFICE AT HIS OR HER PLEASURE.
16 IN ADDITION TO THE DUTIES IMPOSED ON THE TREASURER BY THIS ACT <—
17 ARTICLE, THE TREASURER SHALL PERFORM SUCH OTHER DUTIES AS THE
18 CHIEF OPERATIONS OFFICER SHALL PRESCRIBE. THE TREASURER SHALL
19 EXECUTE A CORPORATE SURETY BOND AND SHALL TAKE AND SUBSCRIBE THE
20 OATH OF OFFICE PRESCRIBED IN SECTION 221 320. <—

21 SECTION 224 323. DEPOSIT OF FUNDS, CHECKS AND DRAFTS; <—
22 SECURITY COLLATERAL.--(A) ALL FUNDS DEPOSITED BY THE TREASURER
23 IN ANY BANK SHALL BE PLACED IN THE NAME OF THE AUTHORITY AND
24 SHALL BE WITHDRAWN OR PAID OUT ONLY BY CHECK OR DRAFT UPON THE
25 BANK SIGNED BY THE TREASURER AND COUNTERSIGNED BY THE CHAIRMAN
26 OF THE BOARD. THE BOARD MAY DESIGNATE ANY OF ITS MEMBERS OR ANY
27 OFFICER OR EMPLOYEE OF THE AUTHORITY TO AFFIX THE SIGNATURE OF
28 THE CHAIRMAN TO ANY CHECK OR DRAFT FOR PAYMENT OF SALARIES OR
29 WAGES AND FOR THE PAYMENT OF ANY OTHER OBLIGATION OF NOT MORE
30 THAN \$100,000. THE CHIEF OPERATIONS OFFICER MAY DESIGNATE ANY

1 OFFICER OR EMPLOYE OF THE AUTHORITY TO AFFIX THE SIGNATURE OF
2 THE TREASURER TO ANY CHECK OR DRAFT FOR PAYMENT OF SALARIES OR
3 WAGES AND FOR THE PAYMENT OF ANY OTHER OBLIGATION OF NOT MORE
4 THAN \$100,000.

5 (B) WHENEVER THE BUSINESS OF THE AUTHORITY REQUIRES THE
6 AFFIXING OF THE SIGNATURE OF ANY OFFICER OR EMPLOYE OF THE
7 AUTHORITY, THE USE OF A FACSIMILE SIGNATURE, WHEN EXPRESSLY
8 AUTHORIZED BY RESOLUTION OF THE BOARD, SHALL HAVE THE SAME FORCE
9 AND EFFECT AS AN ORIGINAL SIGNATURE.

10 (C) ALL BANK BALANCES TO THE EXTENT THE SAME ARE NOT INSURED
11 SHALL BE CONTINUOUSLY SECURED BY A PLEDGE OF DIRECT OBLIGATIONS
12 OF UNITED STATES OF AMERICA, OF THE COMMONWEALTH OR OF ANY
13 MUNICIPALITY OR MUNICIPALITIES IN THE METROPOLITAN AREA, HAVING
14 AN AGGREGATE MARKET VALUE, EXCLUSIVE OF ACCRUED INTEREST AT ALL
15 TIMES AT LEAST EQUAL TO THE BALANCE ON DEPOSIT IN SUCH BANK.
16 SUCH SECURITIES SHALL EITHER BE DEPOSITED WITH THE TREASURER OF
17 THE AUTHORITY OR BE HELD BY A TRUSTEE OR AGENT SATISFACTORY TO
18 THE AUTHORITY. ALL BANKS AND TRUST COMPANIES ARE AUTHORIZED TO
19 GIVE SUCH SECURITY FOR SUCH BALANCES.

20 SECTION ~~225~~ 324. SIGNATURES OF OFFICERS CEASING TO HOLD <—
21 OFFICE.--IN CASE ANY OFFICER WHOSE SIGNATURE APPEARS UPON ANY
22 CHECK, DRAFT, BOND, CERTIFICATE OR INTEREST COUPON ISSUED
23 PURSUANT TO THIS ~~ACT~~ ARTICLE, CEASES TO HOLD HIS OFFICE BEFORE <—
24 THE DELIVERY THEREOF TO THE PAYEE OR THE PURCHASER OF ANY BOND
25 OR CERTIFICATE, HIS SIGNATURE NEVERTHELESS SHALL BE VALID AND
26 SUFFICIENT FOR ALL PURPOSES WITH THE SAME EFFECT AS IF HE HAD
27 REMAINED IN OFFICE UNTIL DELIVERY THEREOF.

28 SECTION ~~226~~ 325. CHIEF OPERATIONS OFFICER.--THE BOARD SHALL <—
29 APPOINT A CHIEF OPERATIONS OFFICER, WHO SHALL HAVE DEMONSTRATED
30 THAT HE OR SHE IS COMPETENT AND EXPERIENCED IN THE AREA OF

1 TRANSIT MANAGEMENT, AND SHALL FIX HIS OR HER COMPENSATION. THE
2 CHIEF OPERATIONS OFFICER SHALL HAVE THE POWER AND IT SHALL BE
3 HIS OR HER DUTY TO:

4 (1) MANAGE THE PROPERTIES OF THE AUTHORITIES.

5 (2) ATTEND TO THE DAY-TO-DAY ADMINISTRATION, FISCAL
6 MANAGEMENT AND OPERATION OF THE AUTHORITY'S BUSINESS.

7 (3) APPOINT SUCH EMPLOYEES AS HE OR SHE DEEMS NECESSARY TO
8 CONDUCT THE AFFAIRS OF HIS OR HER OFFICE, SUBJECT TO THE
9 PROVISIONS OF THIS ACT ARTICLE. <—

10 (4) IMPLEMENT AND ENFORCE ALL RESOLUTIONS, RULES AND
11 REGULATIONS OF THE BOARD.

12 (5) SUBMIT TO THE BOARD ACCORDING TO A SCHEDULE ESTABLISHED
13 BY IT, PERIODIC REPORTS SHOWING THE OVERALL STATE OR CONDITION
14 OF THE TRANSIT SYSTEM ACCORDING TO ESTABLISHED INDUSTRY
15 PERFORMANCE STANDARDS. SUCH REPORTS SHALL BE CONSIDERED PUBLIC
16 RECORDS.

17 (6) IMPLEMENT POLICIES ESTABLISHED BY THE BOARD.

18 SECTION 227 326. COUNSEL TO THE BOARD.--THE BOARD SHALL <—
19 APPOINT A COUNSEL TO THE BOARD, WHO SHALL BE AN ATTORNEY AT LAW,
20 ADMITTED TO PRACTICE BEFORE THE SUPREME COURT OF THE
21 COMMONWEALTH, AND WHO SHALL BE APPOINTED BY THE BOARD TO SERVE
22 AT ITS DISCRETION. THE BOARD SHALL PAY TO THE COUNSEL TO THE
23 BOARD REASONABLE COMPENSATION FOR SERVICES ACTUALLY PERFORMED.
24 THE COUNSEL TO THE BOARD SHALL ADVISE THE BOARD IN ALL MATTERS
25 RELATING TO ITS OFFICIAL DUTIES AND SHALL NOTWITHSTANDING ANY
26 OTHER PROVISION OF THIS ACT ARTICLE APPROVE ALL MATTERS RELATING <—
27 TO BONDS AND INDENTURES.

28 SECTION 228 329. LEGAL DIVISION; GENERAL COUNSEL.--(A) THE <—
29 CHIEF OPERATIONS OFFICER SHALL ESTABLISH A LEGAL DIVISION WHICH
30 SHALL BE ADMINISTERED BY A FULL-TIME GENERAL COUNSEL WHO SHALL

1 BE AN ATTORNEY AT LAW ADMITTED TO PRACTICE BEFORE THE SUPREME
2 COURT OF PENNSYLVANIA AND WHO SHALL BE APPOINTED BY THE CHIEF
3 OPERATIONS OFFICER TO SERVE AT HIS OR HER PLEASURE. THE LEGAL
4 DIVISION, IN ADDITION TO THE GENERAL COUNSEL, SHALL CONSIST OF
5 SUCH ATTORNEYS AND OTHER EMPLOYES AS THE GENERAL COUNSEL FROM
6 TIME TO TIME SHALL DETERMINE TO BE NECESSARY, AND WHO SHALL BE
7 APPOINTED BY THE CHIEF OPERATIONS OFFICER. EXCEPT AS PROVIDED IN
8 SECTION 227 326 THE LEGAL DIVISION SHALL ADMINISTER THE LEGAL <—
9 AFFAIRS OF THE AUTHORITY, SHALL PROSECUTE AND DEFEND, SETTLE OR
10 COMPROMISE ALL SUITS OR CLAIMS FOR AND ON BEHALF OF THE
11 AUTHORITY, AND SHALL ADVISE THE CHIEF OPERATIONS OFFICER IN ALL
12 MATTERS RELATING TO HIS OR HER OFFICIAL DUTIES.

13 (B) THE GENERAL COUNSEL MAY, FROM TIME TO TIME, WITH THE
14 APPROVAL OF THE CHIEF OPERATIONS OFFICER, RETAIN SUCH OTHER
15 LEGAL COUNSEL ON SUCH TERMS AND FOR SUCH PURPOSES AS SHALL BE
16 DEEMED BY THE CHIEF OPERATIONS OFFICER TO BE NECESSARY OR IN
17 CASES WHERE THE NEEDS OF THE AUTHORITY WOULD BE BETTER SERVED.
18 NOTHING IN THIS SECTION OR ~~IN THE PRECEDING~~ SECTION 326 SHALL BE <—
19 CONSTRUED SO AS TO LIMIT THE POWER OF THE LEGAL OR OTHER
20 OFFICERS OF THE COUNTIES AND MUNICIPALITIES COMPRISING THE
21 METROPOLITAN AREA TO ACT IN BEHALF OF THE CHIEF OPERATIONS
22 OFFICER IN THEIR OFFICIAL CAPACITIES WHEN REQUESTED SO TO DO BY
23 THE CHIEF OPERATIONS OFFICER.

24 SECTION 229 328. OTHER EMPLOYES.--THE BOARD ACTING THROUGH <—
25 THE CHIEF OPERATIONS OFFICER SHALL HAVE THE RIGHT TO BARGAIN
26 COLLECTIVELY AND ENTER INTO AGREEMENTS WITH LABOR ORGANIZATIONS.
27 THE BOARD ACTING THROUGH THE CHIEF OPERATIONS OFFICER SHALL
28 RECOGNIZE AND BE BOUND BY EXISTING LABOR UNION AGREEMENTS WHERE
29 THEY EXIST BETWEEN LABOR UNIONS AND TRANSPORTATION COMPANIES
30 THAT ARE ACQUIRED, PURCHASED, CONDEMNED OR LEASED BY THE BOARD.

1 IT SHALL DESIGNATE THEIR DUTIES AND REQUIRE BONDS OF SUCH OF
2 THEM AS THE BOARD MAY DESIGNATE. THE COMPENSATION OF THE CHIEF
3 OPERATIONS OFFICER, COUNSEL TO THE BOARD, SECRETARY AND
4 CONTROLLER SHALL BE FIXED BY THE BOARD. FOR ALL OTHER OFFICERS,
5 EMPLOYES, ATTORNEYS, ENGINEERS, CONSULTANTS AND AGENTS THE BOARD
6 SHALL ESTABLISH SALARY SCALES. THE CHIEF OPERATIONS OFFICER
7 SHALL ESTABLISH WITHIN SUCH SALARY SCALES COMPENSATION LEVELS
8 BASED UPON WRITTEN APPRAISALS OF PERFORMANCE FOR ALL EMPLOYES
9 UNDER HIS CONTROL. THE SECRETARY AND THE CONTROLLER SHALL
10 ESTABLISH WITHIN SUCH SALARY SCALES COMPENSATION LEVELS BASED
11 UPON WRITTEN APPRAISALS OF PERFORMANCE FOR ALL EMPLOYES IN THEIR
12 RESPECTIVE OFFICES. WITH THE EXCEPTION OF THE SECRETARY, ANY OF
13 THE FOREGOING MAY BE APPOINTED, RETAINED, HIRED OR EMPLOYED ON A
14 PART-TIME BASIS AND MAY BE ENGAGED IN OTHER BUSINESS OR
15 PROFESSIONAL ACTIVITIES: PROVIDED, THAT NO SALARIED EXECUTIVE
16 OFFICER OF THE AUTHORITY SHALL HOLD ANY OTHER OFFICE IN OR BE AN
17 EMPLOYEE OF THE FEDERAL, STATE OR ANY COUNTY OR MUNICIPAL
18 GOVERNMENT EXCEPT AN OFFICE OR EMPLOYMENT WITHOUT COMPENSATION
19 OR AN OFFICE IN THE MILITARY RESERVE OR NATIONAL GUARD.

20 SECTION ~~230~~ 329. CLASSIFICATION OF POSITIONS AND <—
21 EMPLOYMENTS; DISCHARGE OR DEMOTION OF OFFICERS OR EMPLOYES;
22 HEARINGS; SENIORITY; PENSIONS AND RETIREMENT.--(A) THE CHIEF
23 OPERATIONS OFFICER SHALL CLASSIFY ALL THE OFFICES, POSITIONS AND
24 GRADES OF REGULAR EMPLOYMENT REQUIRED, EXCEPTING THAT OF THE
25 CHAIRMAN OF THE BOARD, SECRETARY, COUNSEL TO THE BOARD AND
26 CONTROLLER, WITH REFERENCE TO THE DUTIES THEREOF AND THE
27 COMPENSATION FIXED THEREFOR AND ADOPT RULES GOVERNING
28 APPOINTMENTS TO ANY OF SUCH OFFICES OR POSITIONS ON THE BASIS OF
29 MERIT AND EFFICIENCY. NO DISCRIMINATION SHALL BE MADE IN ANY
30 APPOINTMENT OR PROMOTION BECAUSE OF RACE, CREED, COLOR OR

POLITICAL OR RELIGIOUS AFFILIATIONS. NO OFFICER OR EMPLOYE SHALL
BE DISCHARGED OR DEMOTED EXCEPT FOR JUST CAUSE.

(B) THE CHIEF OPERATIONS OFFICER MAY ABOLISH ANY OFFICE OR
REDUCE THE FORCE OF EMPLOYES FOR LACK OF WORK OR LACK OF FUNDS,
BUT IN SO DOING, THE OFFICER OR EMPLOYE WITH THE SHORTEST
SERVICE RECORD IN THE CLASS AND GRADE TO WHICH HE BELONGS SHALL
BE FIRST RELEASED FROM SERVICE AND SHALL BE REINSTATED IN ORDER
OF SENIORITY, WHEN ADDITIONAL FORCE OF EMPLOYES IS REQUIRED.

SENIORITY SHALL BE CONSIDERED A WORKING CONDITION. NO QUALIFIED
PERSON SHALL BE LAID OFF IF A TRANSFER TO ANOTHER JOB, DIVISION
OR DEPARTMENT WITHIN THE TRANSPORTATION SYSTEM CAN BE ARRANGED.

(C) THERE SHALL BE ESTABLISHED AND MAINTAINED BY THE
AUTHORITY A PENSIONS AND RETIREMENT SYSTEM TO PROVIDE FOR
PAYMENTS WHEN DUE UNDER SUCH SYSTEM OR AS MODIFIED FROM TIME TO
TIME BY RESOLUTION OF THE BOARD. FOR THIS PURPOSE, BOTH THE
BOARD AND THE PARTICIPATING EMPLOYES SHALL MAKE SUCH PERIODIC
PAYMENTS TO THE ESTABLISHED SYSTEM AS MAY BE DETERMINED BY SUCH
RESOLUTION. THE BOARD MAY PROVIDE FOR PARTICIPATION BY ITS
EMPLOYES IN THE SOCIAL SECURITY PROGRAM OR, IN LIEU OF SOCIAL
SECURITY PAYMENTS REQUIRED TO BE PAID BY PRIVATE CORPORATIONS
ENGAGED IN SIMILAR ACTIVITY, SHALL MAKE PAYMENTS INTO SUCH
ESTABLISHED SYSTEM AT LEAST EQUAL IN AMOUNT TO THE AMOUNT SO
REQUIRED TO BE PAID BY SUCH PRIVATE CORPORATIONS, OR MAKE SUCH
OTHER ARRANGEMENTS AS WILL ACCOMPLISH THE SAME PURPOSE.

PROVISIONS SHALL BE MADE BY THE BOARD FOR ALL OFFICERS AND
EMPLOYES OF THE AUTHORITY APPOINTED PURSUANT TO THIS ACT ARTICLE
TO BECOME, SUBJECT TO REASONABLE RULES AND REGULATIONS, MEMBERS
AND BENEFICIARIES OF THE PENSIONS AND REQUIREMENT SYSTEM, WITH
UNIFORM RIGHTS, PRIVILEGES, OBLIGATIONS AND STATUS AS TO THE
CLASS IN WHICH SUCH OFFICERS AND EMPLOYES BELONG. MEMBERS AND

<—

BENEFICIARIES OF ANY PENSIONS OR RETIREMENT SYSTEM ESTABLISHED
BY A TRANSPORTATION SYSTEM ACQUIRED BY THE AUTHORITY SHALL
CONTINUE TO HAVE RIGHTS, PRIVILEGES, BENEFITS, OBLIGATIONS AND
STATUS WITH RESPECT TO SUCH PREVIOUSLY ESTABLISHED SYSTEM. TO
ACHIEVE THE PURPOSES SET FORTH IN THIS SUBSECTION, THE BOARD
SHALL MAKE APPROPRIATE RULES AND REGULATIONS AND FROM TIME TO
TIME SHALL OBTAIN COMPETENT ACTUARIAL ADVICE.

SECTION ~~231~~ 330. TRANSFERS OF FACILITIES OR THINGS OF VALUE <—
TO ANY AUTHORITY.--ANY COUNTY, MUNICIPALITY, SCHOOL DISTRICT,
CORPORATION OR PERSON, OR GROUP, MAY AND THEY ARE HEREBY
AUTHORIZED TO SELL, LEASE, LEND, GRANT, CONVEY, TRANSFER OR PAY
OVER TO ANY AUTHORITY, WITH OR WITHOUT CONSIDERATION, ANY
PROJECT OR ANY PART OR PARTS THEREOF, OR ANY INTEREST IN REAL OR
PERSONAL PROPERTY OR ANY FUNDS AVAILABLE FOR BUILDING
CONSTRUCTION OR IMPROVEMENT PURPOSES, INCLUDING THE PROCEEDS OF
BONDS PREVIOUSLY OR HEREAFTER ISSUED FOR BUILDING CONSTRUCTION
OR IMPROVEMENT PURPOSES, OR ANY MONEY OR THING OF VALUE,
INCLUDING SERVICES, WHICH MAY BE USED BY THE AUTHORITY IN THE
CONSTRUCTION, ACQUISITION, IMPROVEMENT, MAINTENANCE OR OPERATION
OF ANY PROJECT OR FOR ANY OTHER OF ITS CORPORATE PURPOSES, ANY
OTHER LAW TO THE CONTRARY NOTWITHSTANDING.

SECTION ~~232~~ 331. COMPACTS TO FINANCE OPERATIONS AND <—
PARTICULAR PROJECTS.--(A) THE COUNTIES AND MUNICIPALITIES IN
ANY METROPOLITAN AREA SHALL ENTER INTO A COMPACT OR COMPACTS
AMONG THEMSELVES AND/OR WITH THE AUTHORITY TO PROVIDE FOR
MEETING THE AUTHORITY'S CAPITAL OR OPERATING BUDGET BY
APPROPRIATIONS, ANNUAL OR OTHERWISE, OF SUCH SUMS AND IN SUCH
PROPORTIONS AS MAY BE AGREED UPON IN SUCH COMPACT TO BE PAID BY
EACH SIGNATORY PARTY THERETO. THE OBLIGATION INCURRED THEREBY
SHALL BE FOR THE TERM AS SET FORTH IN THE COMPACT WITHOUT REGARD

1 TO THE PROVISIONS OF ANY LAW, ORDINANCE OR REGULATION TO THE
2 CONTRARY, AND SHALL CONSTITUTE A COMMITMENT AND OBLIGATION,
3 BINDING AND ABSOLUTE, ON THE PART OF EACH SUCH SIGNATORY PARTY,
4 TO APPROPRIATE AND PAY OVER THE NECESSARY FUNDS IN ACCORDANCE
5 THEREWITH. THE SAID OPERATING BUDGET SHALL INCLUDE ALL SUMS OF
6 MONEY NECESSARY FOR THE FORMATION AND ORGANIZATION OF ANY
7 AUTHORITY AND ALL ITEMS OF OPERATING EXPENSES IN CONNECTION WITH
8 SAID AUTHORITY, AS WELL AS NECESSARY FUNDS FOR PLANNING AND
9 RESEARCH APPROPRIATE AND CONSISTENT WITH THE PURPORT OF THIS ACT <—
10 ARTICLE AND ANY COMPACT ENTERED INTO PURSUANT TO THIS ACT <—
11 ARTICLE.

12 (B) SUCH A COMPACT MAY ALSO PROVIDE FOR THE FINANCING OF A
13 PARTICULAR MASS TRANSPORTATION PROJECT IN SUCH MANNER AS SHALL
14 BE PROVIDED FOR IN THE COMPACT.

15 (C) WHENEVER A PARTY SIGNATORY TO SUCH A COMPACT THEREBY
16 EXPRESSES ITS APPROVAL OF THE BUDGET FOR FINANCING A PARTICULAR
17 PROJECT, THIS SHALL THEN CONSTITUTE A COMMITMENT AND OBLIGATION,
18 BINDING AND ABSOLUTE, ON THE PART OF SUCH PARTY SIGNATORY TO
19 APPROPRIATE THE NECESSARY FUNDS IN ACCORDANCE THEREWITH.

20 (D) NO COMMITMENT OR OBLIGATION INVOLVING THE PAYMENT OF
21 MONEYS TO OR ON BEHALF OF SUCH AUTHORITY SHALL EXIST IN ANY
22 INSTANCE ON THE PART OF ANY COUNTY OR OTHER MUNICIPALITY WITHIN
23 THE METROPOLITAN AREA UNLESS AND UNTIL SUCH COMMITMENT OR
24 OBLIGATION SHALL FIRST HAVE BEEN EXPRESSLY AND LAWFULLY
25 UNDERTAKEN AND ASSUMED BY SUCH COUNTY OR MUNICIPALITY.

26 SECTION ~~233~~ 332. CONTRACTS, PROCUREMENT AND SALE OF <—
27 PROPERTY; CONCESSIONS; ADVERTISEMENT; BIDDING.--(A) EXCEPT IN
28 THE PURCHASE OF UNIQUE ARTICLES OR ARTICLES WHICH, FOR ANY OTHER
29 REASON, CANNOT BE OBTAINED IN THE OPEN MARKET AND EXCEPT AS
30 HEREINAFTER PROVIDED, COMPETITIVE BIDS SHALL BE SECURED BEFORE

1 ANY PURCHASE OR SALE, BY CONTRACT OR OTHERWISE IS MADE OR BEFORE
2 ANY CONTRACT IS AWARDED FOR CONSTRUCTION, ALTERATIONS, SUPPLIES,
3 EQUIPMENT, REPAIRS OR MAINTENANCE OR FOR RENDERING ANY SERVICES
4 TO THE AUTHORITY OTHER THAN PROFESSIONAL SERVICES; AND THE
5 PURCHASE SHALL BE MADE FROM OR THE CONTRACT SHALL BE AWARDED TO
6 THE LOWEST RESPONSIBLE BIDDER; OR A SALE TO THE HIGHEST
7 RESPONSIBLE BIDDER. NO PURCHASE OF ANY UNIQUE ARTICLE OR OTHER
8 ARTICLES WHICH CANNOT BE OBTAINED IN THE OPEN MARKET SHALL BE
9 MADE WITHOUT EXPRESS APPROVAL OF THE BOARD WHERE THE AMOUNT
10 INVOLVED IS IN EXCESS OF \$10,000.

11 (B) ALL PURCHASES AND SALES IN EXCESS OF \$10,000 SHALL BE
12 AWARDED AFTER ADVERTISING IN A LOCAL NEWSPAPER OF GENERAL
13 CIRCULATION IN THE METROPOLITAN AREA AT LEAST TWO WEEKS PRIOR TO
14 THE BID OPENING. BIDS SHALL BE PUBLICLY OPENED AND READ ALOUD AT
15 A DATE, TIME, AND PLACE DESIGNATED IN THE INVITATION TO BID.
16 INVITATIONS TO BID SHALL BE SENT AT LEAST ONE WEEK PRIOR TO THE
17 BID OPENING TO AT LEAST THREE POTENTIAL BIDDERS WHO ARE
18 QUALIFIED TECHNICALLY AND FINANCIALLY TO SUBMIT BIDS, OR IN LIEU
19 THEREOF A MEMORANDUM SHALL BE KEPT ON FILE SHOWING THAT LESS
20 THAN THREE POTENTIAL BIDDERS SO QUALIFIED EXIST IN THE MARKET
21 AREA WITHIN WHICH IT IS PRACTICABLE TO OBTAIN BIDS.

22 (C) WRITTEN PRICE QUOTATIONS FROM AT LEAST THREE QUALIFIED
23 AND RESPONSIBLE VENDORS SHALL BE OBTAINED FOR ALL PURCHASES AND
24 SALES UNDER \$10,000 AND OVER \$2,500, OR IN LIEU THEREOF, A
25 MEMORANDUM, APPROVED BY THE CHIEF OPERATIONS OFFICER, SHALL BE
26 KEPT ON FILE SHOWING THAT LESS THAN THREE VENDORS SO QUALIFIED
27 EXIST IN THE MARKET AREA WITHIN WHICH IT IS PRACTICABLE TO
28 OBTAIN QUOTATIONS; EXCEPT AS HEREINAFTER PROVIDED.

29 (D) PURCHASES OR SALES UNDER \$2,500 MAY BE NEGOTIATED WITH
30 OR WITHOUT COMPETITIVE BIDDING UNDER SOUND PROCUREMENT

1 PROCEDURES AS PROMULGATED AND ESTABLISHED BY THE CHIEF
2 OPERATIONS OFFICER.

3 (E) COMPETITIVE BIDDING REQUIREMENTS MAY BE WAIVERED IF IT
4 IS DETERMINED BY THE CHIEF OPERATIONS OFFICER, OR IN SUCH OTHER
5 MANNER AS THE BOARD MAY, BY REGULATION, PROVIDE, THAT AN
6 EMERGENCY DIRECTLY AND IMMEDIATELY AFFECTING CUSTOMER SERVICE,
7 OR PUBLIC HEALTH, SAFETY OR WELFARE REQUIRES IMMEDIATE DELIVERY
8 OF SUPPLIES, MATERIALS, EQUIPMENT OR SERVICES: PROVIDED,
9 HOWEVER, THAT A RECORD OF CIRCUMSTANCES EXPLAINING THE EMERGENCY
10 SHALL BE SUBMITTED TO THE BOARD AT ITS NEXT REGULAR MEETING AND
11 THEREAFTER KEPT ON FILE.

12 (F) ALL CONCESSIONS GRANTED BY THE AUTHORITY FOR THE SALE OF
13 PRODUCTS OR THE RENDITION OF SERVICES FOR A CONSIDERATION ON
14 AUTHORITY PROPERTY SHALL BE AWARDED ONLY PURSUANT TO WRITTEN
15 SPECIFICATIONS AFTER COMPETITIVE BIDDING AND TO THE HIGHEST
16 RESPONSIBLE BIDDER IN A MANNER SIMILAR TO THAT REQUIRED BY
17 SUBSECTION (E) RELATING TO CONTRACTS FOR PROCUREMENT INVOLVING
18 AN EXPENDITURE OF MORE THAN \$10,000: PROVIDED, THAT THE
19 FOREGOING REQUIREMENT FOR COMPETITIVE BIDDING SHALL NOT APPLY TO
20 ANY CONCESSION WHICH HAS BEEN GRANTED BY A TRANSPORTATION SYSTEM
21 ACQUIRED BY THE AUTHORITY AND WHICH BY THE TERMS OF THE
22 AGREEMENT GRANTING IT WILL TERMINATE WITHIN ONE YEAR FROM DATE
23 OF THE ACQUISITION OF THE TRANSPORTATION SYSTEM BY THE
24 AUTHORITY, NOR TO ANY CONCESSION INVOLVING THE ESTIMATED RECEIPT
25 BY THE AUTHORITY OF LESS THAN 2,500 OVER THE PERIOD FOR WHICH
26 THE CONCESSION IS GRANTED.

27 (G) CONTRACTS FOR THE SALE OR LEASE OF REAL PROPERTY OWNED
28 BY THE AUTHORITY SHALL BE AWARDED AFTER COMPETITIVE BIDDING AS
29 SHOWN IN SUBSECTION (B) EXCEPT WHERE CONTRACT IS ENTERED INTO
30 WITH THE COMMONWEALTH OR ANY POLITICAL SUBDIVISION OR AGENCY OR

1 INSTRUMENTALITY THEREOF OR WITH THE UNITED STATES GOVERNMENT OR
2 ANY AGENCY OR INSTRUMENTALITY THEREOF.

3 (H) CONTRACTS FOR THE MANAGEMENT OF AUTHORITY-OWNED
4 PROPERTY, SUCH AS BUS ROUTES OR SUBWAY SYSTEMS MAY BE NEGOTIATED
5 AND AWARDED BY AN AFFIRMATIVE VOTE OF ONE MORE THAN A MAJORITY
6 OF ALL MEMBERS OF THE BOARD.

7 (I) REQUIREMENTS SHALL NOT BE SPLIT INTO PARTS FOR THE
8 PURPOSE OF AVOIDING THE PROVISIONS OF THIS SECTION.

9 (J) THE AUTHORITY SHALL HAVE THE RIGHT TO REJECT ANY OR ALL
10 BIDS OR PARTS OF ANY OR ALL BIDS, WHENEVER, IN THE OPINION OF
11 THE BOARD, SUCH REJECTION IS NECESSARY FOR THE PROTECTION OF THE
12 INTERESTS OF THE AUTHORITY. IN EVERY SUCH CASE, A RECORD SHALL
13 BE MADE, SETTING FORTH THE REASON FOR SUCH REJECTION, WHICH
14 RECORD SHALL THEREAFTER BE KEPT ON FILE.

15 (K) THE BOARD SHALL ADOPT RULES AND REGULATIONS TO
16 EFFECTUATE THE PROVISIONS OF THIS SECTION.

17 SECTION ~~234~~ 333. CONFLICT OF INTEREST.--EVERY MEMBER OF THE <—
18 BOARD AND EVERY EMPLOYE OF THE AUTHORITY WHO KNOWINGLY HAS ANY
19 INTEREST, DIRECT OR INDIRECT, IN ANY CONTRACT TO WHICH THE
20 AUTHORITY IS, OR IS ABOUT TO BECOME, A PARTY, OR IN ANY OTHER
21 BUSINESS OF THE AUTHORITY, OR IN ANY FIRM OR CORPORATION DOING
22 BUSINESS WITH THE AUTHORITY, SHALL MAKE FULL DISCLOSURE OF SUCH
23 INTEREST TO THE BOARD. FAILURE TO DISCLOSE SUCH AN INTEREST
24 SHALL CONSTITUTE MISCONDUCT, FOR WHICH A BOARD MEMBER MAY BE
25 REMOVED BY THE APPOINTING POWER, OR AN EMPLOYE MAY BE DISCHARGED
26 OR OTHERWISE DISCIPLINED AT THE DISCRETION OF THE BOARD.

27 WHENEVER, IN THE OPINION OF THE BOARD, ANY SUCH INTEREST ON THE
28 PART OF ANY BOARD MEMBER OR ANY EMPLOYE, SHALL CONSTITUTE A
29 CONFLICT OF INTEREST DETRIMENTAL TO THE AUTHORITY, THE BOARD
30 SHALL REQUIRE SUCH ACTION OR ABSTENTION BY SUCH BOARD MEMBER OR

1 EMPLOYEE AS IT MAY DEEM NECESSARY OR DESIRABLE TO PROTECT THE
2 INTEREST OF THE AUTHORITY. THE BOARD SHALL PROMULGATE SUCH RULES
3 AND REGULATIONS AS MAY BE NECESSARY TO EFFECTUATE THE PURPOSES
4 OF THIS SECTION.

5 SECTION 235 334. FISCAL OPERATING YEAR; BUDGET; CAPITAL <—
6 PROGRAM.--(A) THE BOARD SHALL ESTABLISH A FISCAL OPERATING
7 YEAR. AT LEAST NINETY DAYS PRIOR TO THE BEGINNING OF THE FIRST
8 FULL FISCAL YEAR AFTER THE CREATION OF THE AUTHORITY AND,
9 ANNUALLY THEREAFTER, THE BOARD SHALL CAUSE TO BE PREPARED AND
10 SUBMITTED TO IT A TENTATIVE OPERATING BUDGET AND A TENTATIVE
11 CAPITAL BUDGET FOR THE ENSUING FISCAL YEAR. THE TENTATIVE
12 BUDGETS SHALL BE CONSIDERED BY THE BOARD AND, SUBJECT TO ANY
13 REVISION AND AMENDMENTS AS MAY BE DETERMINED, SHALL BE ADOPTED
14 AT LEAST THIRTY DAYS PRIOR TO THE FIRST DAY OF THE ENSUING
15 FISCAL YEAR AS THE BUDGETS FOR THAT YEAR. THE BOARD SHALL
16 ESTABLISH SUCH RULES AS ARE NECESSARY FOR PROPER OBSERVANCE OF
17 THE BUDGETS. SIMULTANEOUSLY WITH THE ADOPTION OF THE BUDGET, THE
18 BOARD SHALL ADOPT A TENTATIVE CAPITAL PROGRAM COVERING THE
19 ENSUING SIX YEARS.

20 (B) A PUBLIC HEARING SHALL BE CONDUCTED PRIOR TO THE
21 ADOPTION OF THE FINAL OPERATING BUDGET AND TENTATIVE CAPITAL
22 PROGRAM. NOTICE OF SUCH PUBLIC HEARING SHALL BE PUBLISHED IN TWO
23 NEWSPAPERS OF GENERAL CIRCULATION AND A PUBLICATION SPECIFICALLY
24 DESIGNED TO REACH MINORITIES NOT FEWER THAN THIRTY DAYS PRIOR TO
25 SUCH HEARING.

26 SECTION 236. FISCAL OPERATING YEAR; BUDGET; CAPITAL <—
27 PROGRAM. THE BOARD SHALL ESTABLISH A FISCAL OPERATING YEAR. AT
28 LEAST NINETY DAYS PRIOR TO THE BEGINNING OF THE FIRST FULL
29 FISCAL YEAR AFTER THE CREATION OF THE AUTHORITY AND, ANNUALLY
30 THEREAFTER, THE BOARD SHALL CAUSE TO BE PREPARED AND SUBMITTED

~~TO IT A TENTATIVE OPERATING BUDGET AND A TENTATIVE CAPITAL
BUDGET FOR THE ENSUING FISCAL YEAR. THE TENTATIVE BUDGETS SHALL
BE CONSIDERED BY THE BOARD AND, SUBJECT TO ANY REVISION AND
AMENDMENTS AS MAY BE DETERMINED, SHALL BE ADOPTED AT LEAST
THIRTY DAYS PRIOR TO THE FIRST DAY OF THE ENSUING FISCAL YEAR AS
THE BUDGETS FOR THAT YEAR. THE BOARD SHALL ESTABLISH SUCH RULES
AS ARE NECESSARY FOR PROPER OBSERVANCE OF THE BUDGETS.
SIMULTANEOUSLY WITH THE ADOPTION OF THE BUDGET, THE BOARD SHALL
ADOPT A TENTATIVE CAPITAL PROGRAM COVERING THE ENSUING SIX
YEARS.~~

SECTION 237 335. FINANCIAL STATEMENTS AND REPORTS; AUDIT.-- <—

(A) AS SOON AFTER THE END OF EACH FISCAL YEAR AS IS FEASIBLE,
THE BOARD SHALL CAUSE TO BE PREPARED AND PRINTED A REPORT AND
FINANCIAL STATEMENT OF THE AUTHORITY'S OPERATIONS FOR THE
PREVIOUS YEAR AND OF ITS ASSETS AND LIABILITIES. A REASONABLY
SUFFICIENT NUMBER OF COPIES OF SUCH REPORT SHALL BE PRINTED FOR
DISTRIBUTION TO PERSONS INTERESTED UPON REQUEST. A COPY OF SUCH
REPORT SHALL BE FILED WITH THE SECRETARY OF THE COMMONWEALTH,
THE COUNTY CLERK OF EACH COUNTY IN THE METROPOLITAN AREA, AND
THE CLERK OF EACH MUNICIPALITY WHICH HAS GRANTED RIGHTS TO THE
AUTHORITY BY ORDINANCE AND A COPY OF SUCH REPORT SHALL BE
ADDRESSED TO AND MAILED TO THE MAYOR AND CITY COUNCIL OR THE
GOVERNING BODY OF SUCH MUNICIPALITY. THE BOARD FROM TIME TO TIME
SHALL MAIL TO THE PERSONS AND OFFICES SPECIFIED IN THE PRECEDING
SENTENCE COPIES OF SUCH INTERIM FINANCIAL REPORTS AS MAY BE
PREPARED BY THE AUTHORITY, COPIES OF ALL BYLAWS, RULES AND
REGULATIONS, AND AMENDMENTS THERETO, AND COPIES OF THE ANNUAL
FINANCIAL BUDGETS.

(B) THE BOARD SHALL APPOINT IN DUE TIME EACH YEAR A FIRM OF
INDEPENDENT CERTIFIED PUBLIC ACCOUNTANTS AS AUDITORS WHO SHALL

1 EXAMINE THE BOOKS, RECORDS AND ACCOUNTS OF THE AUTHORITY FOR THE
2 PURPOSE OF AUDITING AND REPORTING UPON ITS FINANCIAL STATEMENT
3 FOR SUCH YEAR. THE REPORT OF SUCH AUDITORS SHALL BE APPENDED TO
4 SUCH FINANCIAL STATEMENT.

5 SECTION ~~238~~ 336. TRANSFER OF RECORDS BY PUBLIC UTILITY <—
6 COMMISSION.--IN CASE THE AUTHORITY ACQUIRES THE PLANT,
7 EQUIPMENT, PROPERTY AND RIGHTS IN PROPERTY OF ANY PUBLIC UTILITY
8 USED OR USEFUL IN THE OPERATION OF A TRANSPORTATION SYSTEM, THE
9 PENNSYLVANIA PUBLIC UTILITY COMMISSION SHALL TRANSFER AND
10 DELIVER TO THE BOARD, UPON ITS DEMAND, IN WRITING, ALL BOOKS,
11 PAPERS AND RECORDS IN CONTROL OF SAID COMMISSION AFFECTING SUCH
12 PUBLIC UTILITY EXCLUSIVELY.

13 SECTION ~~239~~ 337. DEPRECIATION RESERVE.--(A) THERE SHALL BE <—
14 ESTABLISHED AND MAINTAINED A RESERVE FOR DEPRECIATION REASONABLY
15 ESTIMATED TO BE ADEQUATE TO CARE FOR THE RETIREMENT (DUE TO
16 EXHAUSTION, WEAR AND TEAR AND OBSOLESCENCE) OF PROPERTY AT COST.
17 THE AMOUNT NECESSARY TO BE CREDITED TO THE RESERVE EACH YEAR FOR
18 SUCH PURPOSES SHALL BE CHARGED TO OPERATIONS.

19 (B) IF, BY ANY COVENANT OF THE AUTHORITY, THERE IS REQUIRED
20 TO BE ESTABLISHED OUT OF REVENUES ANY RESERVE FOR DEBT
21 RETIREMENT OR PROPERTY REPLACEMENTS OR ADDITIONS, THE AMOUNT OF
22 THE ANNUAL PROVISION CREDITED TO THE RESERVE AS REQUIRED BY THIS
23 SECTION, SHALL BE CONSIDERED TO HAVE BEEN MADE, TO THE EXTENT
24 NEEDED, FOR OR TOWARD THE CORRESPONDING ANNUAL REQUIREMENT OF
25 ANY SUCH COVENANT.

26 SECTION ~~240~~ 338. DAMAGE RESERVE FUND.--THE BOARD SHALL <—
27 WITHDRAW FROM THE GROSS RECEIPTS OF THE AUTHORITY AND CHARGE TO
28 OPERATING EXPENSES SUCH AN AMOUNT OF MONEY AS, IN THE OPINION OF
29 THE BOARD, SHALL BE SUFFICIENT TO PROVIDE FOR THE ADJUSTMENT,
30 DEFENSE AND SATISFACTION OF ALL SUITS, CLAIMS, DEMANDS, RIGHTS

1 AND CAUSES OF ACTION, AND THE PAYMENT AND SATISFACTION OF ALL
2 JUDGMENTS ENTERED AGAINST THE AUTHORITY FOR DAMAGE CAUSED BY
3 INJURY TO OR DEATH OF ANY PERSON AND FOR DAMAGE TO PROPERTY
4 RESULTING FROM THE CONSTRUCTION, MAINTENANCE AND OPERATION OF
5 THE TRANSPORTATION SYSTEM, AND THE BOARD SHALL DEPOSIT SUCH
6 MONEYS IN A FUND TO BE KNOWN AND DESIGNATED AS DAMAGE RESERVE
7 FUND. THE BOARD SHALL USE THE MONEYS IN THE DAMAGE RESERVE FUND
8 TO PAY ALL EXPENSES AND COSTS ARISING FROM THE ADJUSTMENT,
9 DEFENSE AND SATISFACTION OF ALL SUITS, CLAIMS, DEMANDS, RIGHTS
10 AND CAUSES OF ACTION, AND THE PAYMENT AND SATISFACTION OF ALL
11 JUDGMENTS ENTERED AGAINST THE AUTHORITY FOR DAMAGES CAUSED BY
12 INJURY TO OR DEATH OF ANY PERSON AND FOR DAMAGE TO PROPERTY
13 RESULTING FROM THE CONSTRUCTION, MAINTENANCE AND OPERATION OF
14 THE TRANSPORTATION SYSTEM. AT ANY TIME, AND FROM TIME TO TIME,
15 THE BOARD MAY OBTAIN AND MAINTAIN INSURANCE COVERAGE OR
16 PROTECTION, PARTIALLY OR WHOLLY, INSURING OR INDEMNIFYING THE
17 AUTHORITY AGAINST LOSS OR LIABILITY ON ACCOUNT OF INJURY TO, OR
18 DEATH OF ANY PERSON, AND FOR DAMAGE TO PROPERTY RESULTING FROM
19 THE CONSTRUCTION, MAINTENANCE AND OPERATION OF THE
20 TRANSPORTATION SYSTEM. THE COST OF OBTAINING AND MAINTAINING
21 SUCH INSURANCE SHALL BE PAID OUT OF THE MONEYS IN THE DAMAGE
22 RESERVE FUND. ALL MONEYS RECEIVED FROM SUCH INSURANCE COVERAGE
23 OR PROTECTION SHALL BE PAID INTO THE DAMAGE RESERVE FUND.

24 SECTION ~~241~~ 339. SPECIAL FUNDS; COMMON CASH ACCOUNT AND <—
25 AUXILIARY SHORT TERM INVESTMENT PORTFOLIO; RESERVES.--(A) THE
26 AUTHORITY, PURSUANT TO RESOLUTIONS ADOPTED FROM TIME TO TIME BY
27 THE BOARD, MAY ESTABLISH AND CREATE SUCH OTHER AND ADDITIONAL
28 SPECIAL FUNDS AS MAY BE FOUND DESIRABLE BY THE BOARD AND IN AND
29 BY SUCH RESOLUTIONS MAY PROVIDE FOR PAYMENTS INTO ALL SPECIAL
30 FUNDS FROM SPECIFIED SOURCES WITH SUCH PREFERENCES AND

1 PRIORITIES AS MAY BE DEEMED ADVISABLE AND MAY ALSO BY ANY SUCH
2 RESOLUTIONS PROVIDE FOR THE CUSTODY, DISBURSEMENT AND
3 APPLICATION OF ANY MONEYS IN ANY SUCH SPECIAL FUNDS CONSISTENT
4 WITH THE PROVISIONS OF THIS ACT ARTICLE, AND CONSISTENT WITH <—
5 GOOD ACCOUNTING PRACTICE WITH DUE REFERENCE TO THE UNIFORM
6 SYSTEM OF ACCOUNTS FOR TRANSPORTATION OPERATIONS MAINTAINED BY
7 EITHER THE INTERSTATE COMMERCE COMMISSION OR THE PENNSYLVANIA
8 PUBLIC UTILITY COMMISSION.

9 (B) TO THE EXTENT PRACTICABLE THE AUTHORITY MAY ESTABLISH A
10 COMMON CASH ACCOUNT AND AUXILIARY SHORT-TERM INVESTMENT
11 PORTFOLIO AS A DEPOSITORY FOR ALL CASH OF THE GENERAL OR SPECIAL
12 FUNDS: PROVIDED, THAT THE INTEREST OF EACH FUND THEREIN BE
13 CLEARLY RECORDED AND PRESERVED AT ALL TIMES: AND PROVIDED
14 FURTHER, THAT THERE SHALL NOT BE ANY COMMINGLING OF ASSETS WHERE
15 PROHIBITED BY ANY COVENANT OF THE AUTHORITY.

16 (C) NOTHING CONTAINED IN THIS ACT ARTICLE SHALL BE CONSTRUED <—
17 AS TO PREVENT THE PRUDENT ACCUMULATION OF RESERVE FUNDS BY THE
18 AUTHORITY.

19 SECTION 242 340. INVESTIGATIONS AND SUBPOENAS.--(A) THE <—
20 BOARD MAY INVESTIGATE ALL MEANS OF TRANSPORTATION AND THE
21 MANAGEMENT THEREOF, THE ENFORCEMENT OF ITS RESOLUTIONS, RULES
22 AND REGULATIONS, AND THE ACTION, CONDUCT, AND EFFICIENCY OF ALL
23 OFFICERS, AGENTS AND EMPLOYES OF THE AUTHORITY. IN THE CONDUCT
24 OF SUCH INVESTIGATIONS, THE BOARD MAY HOLD PUBLIC HEARINGS ON
25 ITS OWN MOTION AND SHALL DO SO ON COMPLAINT OR PETITION OF ANY
26 MUNICIPALITY IN THE METROPOLITAN AREA. EACH MEMBER OF THE BOARD
27 SHALL HAVE POWER TO ADMINISTER OATHS AND THE SECRETARY, BY ORDER
28 OF THE BOARD, SHALL ISSUE SUBPOENAS TO SECURE THE ATTENDANCE AND
29 TESTIMONY OF WITNESSES AND THE PRODUCTION OF BOOKS AND PAPERS
30 RELEVANT TO SUCH INVESTIGATIONS AND TO ANY HEARING BEFORE THE

1 BOARD OR ANY MEMBER THEREOF, OR ANY OFFICERS' COMMITTEE OR
2 EMPLOYES' COMMITTEE, APPOINTED BY THE BOARD TO HEAR ANY
3 COMPLAINT OF AN OFFICER OR EMPLOYEE WHO HAS BEEN DISCHARGED OR
4 DEMOTED.

5 (B) ANY COURT OF RECORD OF THIS COMMONWEALTH, OR ANY JUDGE
6 THEREOF, EITHER IN TERM TIME OR VACATION, UPON APPLICATION OF
7 THE BOARD OR ANY MEMBER THEREOF MAY, IN HIS DISCRETION, COMPEL
8 THE ATTENDANCE OF WITNESSES, THE PRODUCTION OF BOOKS AND PAPERS,
9 AND GIVING OF TESTIMONY BEFORE THE BOARD OR BEFORE ANY MEMBER
10 THEREOF, OR ANY OFFICERS' COMMITTEE OR EMPLOYES' COMMITTEE,
11 APPOINTED BY THE BOARD BY ATTACHMENT FOR CONTEMPT OR OTHERWISE,
12 IN THE SAME MANNER AS THE PRODUCTION OF EVIDENCE MAY BE
13 COMPELLED BEFORE SAID COURT.

14 SECTION ~~243~~ 341. AID FROM FEDERAL GOVERNMENT.--IN ADDITION <—
15 TO THE POWERS CONFERRED UPON ANY AUTHORITY BY OTHER PROVISIONS
16 OF THIS ~~ACT~~ ARTICLE, SUCH AUTHORITY IS EMPOWERED TO BORROW MONEY <—
17 OR ACCEPT MONEY OR ACCEPT GRANTS OR OTHER FINANCIAL ASSISTANCE
18 FROM THE FEDERAL GOVERNMENT, FOR OR IN AID OF ITS OPERATIONS. IT
19 IS THE PURPOSE AND INTENT OF THIS ~~ACT~~ ARTICLE TO AUTHORIZE THE <—
20 AUTHORITY, AND THE AUTHORITY IS SO AUTHORIZED, TO DO ANY AND ALL
21 THINGS NECESSARY OR DESIRABLE TO SECURE THE FINANCIAL AID OR
22 COOPERATION OF THE FEDERAL GOVERNMENT IN ANY OF ITS OPERATIONS.
23 SUCH THINGS MAY INCLUDE WITHOUT LIMITING THE GENERALITY OF THE
24 FOREGOING: THE POWER TO CHANGE OR REVISE RATES, FARES AND
25 CHARGES; TO MAKE RELOCATION PAYMENTS TO FAMILIES, BUSINESSES AND
26 NONPROFIT ORGANIZATIONS; TO PROVIDE AN AREA-WIDE TRANSPORTATION
27 PLAN OR PROGRAM FOR THE DEVELOPMENT OF A COMPREHENSIVE AND
28 COORDINATED MASS TRANSPORTATION SYSTEM FOR THE METROPOLITAN
29 AREA; TO CARRY OUT RESEARCH, DEVELOPMENT AND DEMONSTRATION
30 PROJECTS; TO PROVIDE A SHARE OF THE COST OF ANY PROJECT; ALL AS

1 MAY BE REQUIRED BY ANY FEDERAL LAW OR BY THE REQUIREMENTS OF ANY
2 FEDERAL AGENCY AUTHORIZED TO ADMINISTER ANY FEDERAL PROGRAM OF
3 AID TO ANY MASS TRANSPORTATION PROGRAM.

4 SECTION 244 342. EXEMPTION FROM TAXATION.--THE EFFECTUATION <—
5 OF THE AUTHORIZED PURPOSES OF ANY AUTHORITY CREATED UNDER THIS
6 ACT ARTICLE SHALL AND WILL BE, IN ALL RESPECTS, FOR THE BENEFIT <—
7 OF THE PEOPLE OF THE COMMONWEALTH, FOR THE INCREASE OF THEIR
8 COMMERCE AND PROSPERITY AND FOR THE IMPROVEMENT OF THEIR HEALTH
9 AND LIVING CONDITIONS, AND SINCE SUCH AUTHORITY WILL BE
10 PERFORMING ESSENTIAL GOVERNMENTAL FUNCTIONS IN EFFECTUATING SUCH
11 PURPOSES, IT SHALL NOT BE REQUIRED TO PAY ANY PROPERTY TAXES OR
12 ASSESSMENTS, OF ANY KIND OR NATURE WHATSOEVER, NOW IN EXISTENCE
13 OR TO BE ENACTED IN THE FUTURE, WHETHER IMPOSED BY THE
14 COMMONWEALTH OR BY ANY POLITICAL SUBDIVISION THEREOF, OR BY ANY
15 OTHER TAXING AUTHORITY, AND THE BONDS ISSUED BY SUCH AUTHORITY,
16 THEIR TRANSFER, AND THE INCOME THEREFROM (INCLUDING ANY PROFITS
17 MADE ON THE SALE THEREOF), SHALL AT ALL TIMES BE FREE FROM
18 TAXATION WITHIN THE COMMONWEALTH.

19 SECTION 245 343. LIMITATION OF POWERS.--THE COMMONWEALTH <—
20 DOES HEREBY PLEDGE TO AND AGREE WITH ANY PERSON, FIRM OR
21 CORPORATION, OR FEDERAL AGENCY SUBSCRIBING TO OR ACQUIRING THE
22 BONDS TO BE ISSUED BY ANY AUTHORITY FOR THE CONSTRUCTION,
23 EXTENSION, IMPROVEMENT OR ENLARGEMENT OF ANY PROJECT OR PART
24 THEREOF, THAT THE COMMONWEALTH WILL NOT LIMIT OR ALTER THE
25 RIGHTS HEREBY VESTED IN SUCH AUTHORITY UNTIL ALL BONDS AT ANY
26 TIME ISSUED, TOGETHER WITH THE INTEREST THEREON, ARE FULLY MET
27 AND DISCHARGED. THE COMMONWEALTH DOES FURTHER PLEDGE TO AND
28 AGREE WITH THE UNITED STATES AND ANY OTHER FEDERAL AGENCY THAT,
29 IN THE EVENT THAT ANY FEDERAL AGENCY SHALL CONSTRUCT OR
30 CONTRIBUTE ANY FUNDS FOR THE CONSTRUCTION, EXTENSION,

1 IMPROVEMENT OR ENLARGEMENT OF ANY PROJECT OR ANY PORTION
2 THEREOF, THE COMMONWEALTH WILL NOT ALTER OR LIMIT THE RIGHTS AND
3 POWERS OF THE AUTHORITY IN ANY MANNER WHICH WOULD BE
4 INCONSISTENT WITH THE CONTINUED MAINTENANCE AND OPERATION OF THE
5 PROJECT, OR THE IMPROVEMENT THEREOF, OR WHICH WOULD BE
6 INCONSISTENT WITH THE DUE PERFORMANCE OF ANY AGREEMENTS BETWEEN
7 THE AUTHORITY AND ANY SUCH FEDERAL AGENCY, AND THE AUTHORITY
8 SHALL CONTINUE TO HAVE AND MAY EXERCISE ALL POWERS HEREIN
9 GRANTED, SO LONG AS THE SAME SHALL BE NECESSARY OR DESIRABLE FOR
10 THE CARRYING OUT OF THE PURPOSES OF THIS ACT ARTICLE AND THE <—
11 PURPOSES OF THE UNITED STATES IN THE CONSTRUCTION OR IMPROVEMENT
12 OR ENLARGEMENT OF THE PROJECT OR SUCH PORTION THEREOF.

13 ~~SECTION 246. SEVERABILITY. IF ANY PROVISION OF THIS ACT OR~~ <—
14 ~~THE APPLICATION THEREOF TO ANY PERSON OR CIRCUMSTANCES IS HELD~~
15 ~~INVALID, THE REMAINDER OF THIS ACT, AND THE APPLICATION OF SUCH~~
16 ~~PROVISION TO OTHER PERSONS OR CIRCUMSTANCES, SHALL NOT BE~~
17 ~~AFFECTED THEREBY, AND TO THIS END, THE PROVISIONS OF THIS ACT~~
18 ~~ARE DECLARED TO BE SEVERABLE.~~

19 ARTICLE III IV <—

20 TRANSITION AND MISCELLANEOUS PROVISIONS

21 SECTION 301 401. TRANSFER OF POWERS, APPROPRIATIONS, ETC. <—
22 FROM PENNSYLVANIA TRANSPORTATION ASSISTANCE AUTHORITY TO
23 DEPARTMENT OF TRANSPORTATION.--(A) ALL ALLOCATIONS,
24 APPROPRIATIONS, AGREEMENTS, LEASES, CLAIMS, DEMANDS AND CAUSES
25 OF ACTION OF ANY NATURE WHETHER OR NOT SUBJECT TO LITIGATION ON
26 THE DATE OF THIS ACT, EQUIPMENT, FILES, RECORDS, CLASSIFIED DATA
27 FILES, MAPS, AIR PHOTOGRAPHS AND OTHER MATERIAL WHICH ARE USED,
28 EMPLOYED OR EXPENDED IN CONNECTION WITH THE DUTIES, POWERS OR
29 FUNCTIONS OF THE PENNSYLVANIA TRANSPORTATION ASSISTANCE
30 AUTHORITY ARE HEREBY TRANSFERRED TO THE DEPARTMENT OF

1 TRANSPORTATION WITH THE SAME FORCE AND EFFECT AS IF THE
2 APPROPRIATIONS HAD BEEN MADE TO AND SAID ITEMS HAD BEEN THE
3 PROPERTY OF THE DEPARTMENT OF TRANSPORTATION IN THE FIRST
4 INSTANCE AND AS IF SAID CONTRACTS, AGREEMENTS, LEASES AND
5 OBLIGATIONS HAD BEEN INCURRED OR ENTERED INTO BY THE DEPARTMENT
6 OF TRANSPORTATION.

7 (B) THE POWER TO ALLOCATE EXCESS FUNDS FROM ONE PROJECT TO
8 ANOTHER, GIVEN TO THE PENNSYLVANIA TRANSPORTATION ASSISTANCE
9 AUTHORITY IN THE FOLLOWING ACTS STATUTES IS HEREBY TRANSFERRED <—
10 TO THE DEPARTMENT OF TRANSPORTATION, SUBJECT TO THE APPROVAL OF
11 THE SECRETARY OF THE BUDGET:

12 (1) SECTION 2, ACT OF APRIL 13, 1976 (P.L.97, NO.42),
13 ENTITLED "A SUPPLEMENT TO THE ACT OF OCTOBER 18, 1975 (P.L.408,
14 NO.112), ENTITLED 'AN ACT PROVIDING FOR THE CAPITAL BUDGET FOR
15 THE FISCAL YEAR 1975-1976,' ITEMIZING A TRANSPORTATION
16 ASSISTANCE PROJECT TO BE ACQUIRED OR CONSTRUCTED BY THE
17 PENNSYLVANIA TRANSPORTATION ASSISTANCE AUTHORITY TOGETHER WITH
18 ITS ESTIMATED FINANCIAL COST; AUTHORIZING THE INCURRING OF DEBT
19 WITHOUT THE APPROVAL OF THE ELECTORS FOR THE PURPOSE OF
20 FINANCING THE PROJECT, STATING THE ESTIMATED USEFUL LIFE OF THE
21 PROJECT, AND MAKING AN APPROPRIATION."

22 (2) SECTION 2, ACT OF JULY 9, 1976 (P.L.570, NO.138),
23 ENTITLED "A SUPPLEMENT TO THE ACT OF JULY 9, 1976 (P.L.522,
24 NO.154), ENTITLED 'AN ACT PROVIDING FOR THE CAPITAL BUDGET FOR
25 THE FISCAL YEAR 1976-1977,' ITEMIZING TRANSPORTATION ASSISTANCE
26 PROJECTS TO BE ACQUIRED OR CONSTRUCTED BY THE PENNSYLVANIA
27 TRANSPORTATION ASSISTANCE AUTHORITY TOGETHER WITH THEIR
28 ESTIMATED FINANCIAL COST; AUTHORIZING THE INCURRING OF DEBT
29 WITHOUT THE APPROVAL OF THE ELECTORS FOR THE PURPOSE OF
30 FINANCING THE PROJECTS, STATING THE ESTIMATED USEFUL LIFE OF THE

1 PROJECTS, AND MAKING AN APPROPRIATION."

2 (3) SECTION 2, ACT OF JULY 4, 1979 (NO.28), ENTITLED "A
3 SUPPLEMENT TO THE ACT OF SEPTEMBER 28, 1978 (P.L.787, NO.151),
4 ENTITLED 'AN ACT PROVIDING FOR THE CAPITAL BUDGET FOR THE FISCAL
5 YEAR 1978-1979,' ITEMIZING TRANSPORTATION ASSISTANCE PROJECTS TO
6 BE ACQUIRED OR CONSTRUCTED BY THE PENNSYLVANIA TRANSPORTATION
7 ASSISTANCE AUTHORITY TOGETHER WITH THEIR ESTIMATED FINANCIAL
8 COST; ITEMIZING TRANSPORTATION ASSISTANCE PROJECTS TO BE
9 ACQUIRED OR PURCHASED BY THE PENNSYLVANIA DEPARTMENT OF
10 TRANSPORTATION; AUTHORIZING THE INCURRING OF DEBT WITHOUT THE
11 APPROVAL OF THE ELECTORS FOR THE PURPOSE OF FINANCING THE
12 PROJECTS, STATING THE ESTIMATED USEFUL LIFE OF CERTAIN OF THE
13 PROJECTS, AND MAKING AN APPROPRIATION."

14 SECTION ~~302~~ 402. CONTINUATION OF EXISTING LAW.--THE <—
15 PROVISIONS OF ~~ARTICLE II~~ THIS ACT, SO FAR AS THEY ARE THE SAME <—
16 AS THOSE OF EXISTING LAW, ARE INTENDED AS A CONTINUATION OF SUCH
17 LAW AND NOT AS NEW ENACTMENTS.

18 SECTION ~~303~~ 403. REORGANIZATION PLAN.--(A) THE GOVERNING <—
19 BODIES OF ALL COUNTIES OF THE THIRD CLASS AND SECOND CLASS A
20 WHICH ARE INVOLVED WITH ANY CITY OF THE FIRST CLASS IN THE
21 OPERATION OF A MASS TRANSPORTATION SYSTEM TOGETHER WITH THE
22 MAYOR OF ANY CITY OF THE FIRST CLASS IN CONSULTATION WITH THE
23 GOVERNOR SHALL SUBMIT TO THE GOVERNOR AND THE GENERAL ASSEMBLY A
24 PLAN FOR THE REORGANIZATION OF ANY TRANSPORTATION AUTHORITY
25 CREATED PURSUANT TO THE ACT OF AUGUST 14, 1963 (P.L.984,
26 NO.450), KNOWN AS THE "METROPOLITAN TRANSPORTATION AUTHORITIES
27 ACT OF 1963," OR THIS ACT PRIOR TO JUNE 30, 1980. THE
28 REORGANIZATION PLAN SHALL CONTAIN A DISCUSSION OF AND
29 RECOMMENDATIONS CONCERNING THE FOLLOWING:

30 (1) THE VETO POWER INVESTED IN THE TRANSPORTATION BOARD;

1 (2) THE DIFFICULTIES OCCASIONED BY DUAL OWNERSHIP OF REAL
2 AND PERSONAL PROPERTY BY SUCH AUTHORITY AND ANY CITY OF THE
3 FIRST CLASS;

4 (3) THE PROBLEMS PRECIPITATED BY THE COMPOSITION AND
5 STRUCTURE OF THE TRANSPORTATION BOARD; AND

6 (4) ANY OTHER ISSUE REASONABLY RELATED TO THE FOREGOING.

7 (B) IF THE REORGANIZATION PLAN IS NOT SUBMITTED IN
8 ACCORDANCE WITH SUBSECTION (A) NO AUTHORITY CREATED PURSUANT TO
9 THE "METROPOLITAN TRANSPORTATION AUTHORITIES ACT OF 1963" SHALL
10 BE ELIGIBLE TO RECEIVE ANY STATE FUNDS FOR FISCAL YEAR 1980-
11 1981.

12 ~~SECTION 304~~ 404. APPOINTMENT OF NEW OFFICERS.--THE <—
13 TRANSPORTATION BOARD OF ANY AUTHORITY CREATED PURSUANT TO THE
14 ACT OF AUGUST 14, 1963 (P.L.984, NO.450), KNOWN AS THE <—
15 "METROPOLITAN TRANSPORTATION AUTHORITIES ACT OF 1963," OR THIS <—
16 ACT SHALL APPOINT A NEW COUNSEL TO THE BOARD AND CONTROLLER
17 PRIOR TO JUNE 30, 1980.

18 ~~SECTION 305~~ 405. APPROPRIATIONS.--(A) THE SUM OF \$5,360,000 <—
19 OR AS MUCH THEREOF AS MAY BE NECESSARY IS HEREBY APPROPRIATED TO
20 THE SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY FOR THE
21 EXCLUSIVE PURPOSE OF MAINTAINING AND REHABILITATING PRESENTLY
22 OWNED TRANSIT VEHICLES.

23 (B) THE SUM OF \$2,600,000, OR AS MUCH THEREOF AS MAY BE
24 NECESSARY, IS HEREBY APPROPRIATED TO THE PORT AUTHORITY OF
25 ALLEGHENY COUNTY FOR THE EXCLUSIVE PURPOSE OF MAINTAINING AND
26 REHABILITATING PRESENTLY OWNED TRANSIT VEHICLES.

27 (C) THE SUM OF \$665,000, OR AS MUCH THEREOF AS MAY BE
28 NECESSARY, IS HEREBY APPROPRIATED TO THE REMAINING
29 TRANSPORTATION AUTHORITIES FOR THE EXCLUSIVE PURPOSE OF
30 MAINTAINING AND REHABILITATING PRESENTLY OWNED TRANSIT VEHICLES.

1 SECTION 306 406. REPEALS.--THE FOLLOWING ACTS ARE REPEALED: <—
2 ACT OF AUGUST 14, 1963 (P.L.984, NO.450), KNOWN AS THE
3 "METROPOLITAN TRANSPORTATION AUTHORITIES ACT OF 1963."
4 ACT OF JANUARY 22, 1968 (P.L.27, NO.7), KNOWN AS "THE
5 PENNSYLVANIA TRANSPORTATION ASSISTANCE AUTHORITY ACT OF 1967."
6 SECTION 4. EXCEPT FOR SECTION ~~105~~ 204 OF ARTICLE ~~±~~ II, WHICH <—
7 SHALL TAKE EFFECT JANUARY 1, 1981, THIS ACT SHALL TAKE EFFECT
8 IMMEDIATELY.