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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**  
**No. 1045** Session of  
1983

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INTRODUCED BY KUSSE, SINGEL, STOUT, FISHER, HELFRICK AND  
REIBMAN, OCTOBER 5, 1983

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AS HOUSE RECEDED FROM AMENDMENTS NONCONCURRED IN BY SENATE,  
HOUSE OF REPRESENTATIVES, JUNE 12, 1984

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AN ACT

1 Amending the act of February 11, 1976 (P.L.14, No.10), entitled  
2 "An act authorizing development of rural and intercity common  
3 carrier surface transportation," granting additional power to  
4 the department to dispose of certain lands.

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

7 Section 1. Section 7(a) of the act of February 11, 1976  
8 (P.L.14, No.10), known as the Pennsylvania Rural and Intercity  
9 Common Carrier Surface Transportation Assistance Act, is amended  
10 to read:

11 Section 7. Contracts; Procurement and Sale of Property;  
12 Competition in Award of Contracts.--(a) (1) The department  
13 shall have power and authority to enter into contracts and to  
14 make joint contracts of purchase with any transportation  
15 organization and/or company in any manner complying with the law  
16 applicable to such transportation organization and/or company.  
17 The department shall also have power and authority to make

1 contracts for the improvement of any rights-of-way, roadbeds or  
2 rolling stock, or electrification systems, or other  
3 transportation systems, or parts thereof, constituting a project  
4 without advertisement for competitive bids, where such work is  
5 to be done at cost by the personnel and with the facilities of  
6 the local transportation organization or company on whose system  
7 such property is to be used. [The]

8 (2) Any other provision of law to the contrary  
9 notwithstanding, the department may sell, transfer, [or] lease  
10 or grant any license to, easement over or any other interest in  
11 all, or any part, of the rail properties and other property  
12 acquired under the provisions of this or any other rail-related  
13 act to any responsible person, firm, [or] corporation, political  
14 subdivision or instrumentality thereof, municipal authority,  
15 transportation authority or Federal agency for continued  
16 operation or other uses compatible with the operation of a  
17 railroad, or [other] any public purpose, provided that approval  
18 for the continued operation, or other public purpose, is granted  
19 by the Interstate Commerce Commission of the United States,  
20 whenever approval is required. The sale by the department of any <—  
21 rail property or other property acquired under the provisions of  
22 this or any other rail related act to any responsible person,  
23 firm or corporation shall be by a system of public competitive  
24 bidding.

25 (3) In the event the department determines that there is no  
26 need for continued operation of a railroad on any rail  
27 properties or other properties acquired under the provisions of  
28 this or any other rail-related act, and that the properties are  
29 not needed for any other public purpose, the department may sell  
30 under a system of public competitive bidding, transfer, lease or

1 grant any license to, easement over or any other interest in all  
2 or any part of the properties to any responsible person, firm,  
3 corporation, political subdivision or instrumentality thereof,  
4 municipal authority, transportation authority or Federal agency  
5 for any worthwhile purpose, as determined by the department.

6 (4) At least 30 days prior to the sale of any property as  
7 authorized by paragraph (2) or (3), the department shall provide  
8 written notice thereof to the chairmen of the Transportation  
9 Committees of the Senate and House of Representatives.

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11 Section 2. This act shall take effect immediately.