
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 918

Session of
1985

INTRODUCED BY HUTCHINSON, APRIL 16, 1985

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, APRIL 16, 1985

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, providing for certain exceptions to
3 the payment of damages.

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

6 Section 1. Section 2704(a) of Title 66 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 2704. Compensation for damages occasioned by construction,
9 relocation or abolition of crossings.

10 (a) General rule.--The compensation for damages which the
11 owners of adjacent property taken, injured, or destroyed may
12 sustain in the construction, relocation, alteration, protection,
13 or abolition of any crossing under the provisions of this part,
14 shall, after due notice and hearing, be ascertained and
15 determined by the commission. Such compensation, as well as the
16 cost of construction, relocation, alteration, protection, or
17 abolition of such crossing, and of facilities at or adjacent to
18 such crossing which are used in any kind of public utility

1 service, shall be borne and paid, as provided in this section,
2 by the public utilities or municipal corporations concerned, or
3 by the Commonwealth, in such proper proportions as the
4 commission may, after due notice and hearing, determine, unless
5 such proportions are mutually agreed upon and paid by the
6 interested parties. For the purposes of this section, a county
7 shall not be deemed to be an interested party.

8 * * *

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