
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 825

Session of
1985

INTRODUCED BY STAUFFER, JUBELIRER, CORMAN, SCANLON, WILT, LYNCH,
FISHER AND O'PAKE, MAY 6, 1985

REFERRED TO TRANSPORTATION, MAY 6, 1985

AN ACT

1 Providing for transportation development projects by
2 municipalities.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the
7 Transportation Partnership Act.

8 Section 2. Transportation development districts.

9 (a) Establishment of districts.--The governing body of any
10 municipality, acting singly or in cooperation with one or more
11 other municipalities, may establish within the municipality or
12 municipalities an area or areas designated as a transportation
13 development district for the purpose of planning, financing,
14 acquiring, developing, improving and operating transportation
15 facilities or transportation services within the district.

16 (b) Facility projects.--Transportation facility projects
17 which may be undertaken within a district shall include any

1 system of public highway or passenger transportation, including,
2 but not limited to, local streets, roads, sidewalks, alleys,
3 passageways, traffic control systems, structures, roadbeds,
4 railroads, buses, trolleys, subways, and other equipment for
5 public passenger transportation; guideways, elevated structures,
6 buildings, stations, terminals, docks, shelters, waterways,
7 ferryboats, airports and parking areas for use in connection
8 with any of the foregoing; tunnels, systems for connecting
9 transportation routes or corridors, and rights-of-way therefor;
10 communication systems, equipment, furnishings, paving or any
11 other materials required for any of the foregoing; or any
12 fractional or undivided co-ownership interest in any one or
13 combination of any of the foregoing that may be deemed by the
14 municipality to be necessary and desirable.

15 (c) Services.--Transportation services which may be provided
16 within a district shall include any system of public passenger
17 transportation by any mode and the salaries and costs associated
18 therewith, the provision of any system of public highway
19 transportation and the salaries and costs associated therewith,
20 and any method by which a municipality provides, plans for,
21 implements, undertakes, maintains, preserves or otherwise makes
22 available to the public transportation facilities and any method
23 by which a municipality operates, provides, maintains or holds
24 out for the public transportation benefits under the provisions
25 of this act.

26 (d) Governing body.--The governing body of a municipality
27 designating a transportation development district may exercise
28 all powers otherwise granted by law to such municipality in
29 order to plan, finance, develop, improve or operate any
30 transportation facilities or services, including, but not

1 limited to, the appropriation and expenditure of funds, and the
2 acquisition, by gift, purchase or eminent domain, of land, real
3 property or rights-of-way needed for the purpose of
4 transportation facilities or services within the district.

5 Section 3. Financing of transportation development.

6 The governing body of any municipality which has designated
7 an area as a transportation development district may finance a
8 transportation facility or transportation service within such
9 district by:

10 (1) imposing an assessment upon business property
11 located within the district subject to the limitations of and
12 pursuant to the procedures and requirements of the act of
13 November 30, 1967 (P.L.658, No.305), known as the Business
14 Improvement District Act of 1967;

15 (2) imposing an assessment on each benefited property
16 within the district using a formula adopted by the governing
17 body of the municipality based upon actual or projected usage
18 of the transportation facilities or services to be financed
19 by the district;

20 (3) imposing any tax otherwise permitted by law, but
21 restricting such tax to subjects of taxation located within a
22 transportation development district, and restricting the
23 receipts of such tax to the financing of such transportation
24 facility or service;

25 (4) incurring debt pursuant to the provisions of the act
26 of July 12, 1972 (P.L.781, No.185), known as the Local
27 Government Unit Debt Act; or

28 (5) accepting grants, gifts and donations.

29 Section 4. Transportation planning.

30 (a) Study.--The municipality or municipalities establishing

1 a district shall undertake or commission the undertaking of a
2 comprehensive study to determine the program of projects to be
3 financed within the district. The analysis of projects shall
4 conform with Federal, State and regional standards for
5 intergrated transportation planning and programming.

6 (b) Multiyear program.--The municipality or municipalities
7 establishing a district shall develop a multiyear transportation
8 improvement program identifying priorities for transportation
9 facilities to be constructed or reconstructed or transportation
10 services to be offered. The program must be submitted to the
11 appropriate county or municipal planning commission or
12 commissions for approval.

13 (c) Countywide plan.--Municipalities establishing
14 transportation development districts shall cooperate in the
15 formulation of a countywide plan of any programs affecting the
16 State highway system. The plan shall be submitted to the
17 regional planning commission for consideration of consolidation
18 into the regional transportation plan and program. Where no
19 regional planning commission exists, such plans and programs
20 shall be submitted directly to the Department of Transportation
21 for consideration for consolidation into the Commonwealth's 12-
22 year transportation plan.

23 (d) Department of Transportation.--An adopted plan shall be
24 presented to the Department of Transportation for consideration
25 for the 12-year transportation program.

26 (e) Financing activities.--No financing activities under
27 section 3 shall take place until a program of projects for the
28 ensuing year (or group of years) has been adopted, and all
29 planning activities required by the section have been completed.

30 Section 5. Termination.

1 (a) Joint action.--Municipalities jointly designating any
2 area as a transportation development district, and imposing any
3 taxes or assessments within the boundaries of such district, may
4 terminate the designation of the district and the imposition of
5 such taxes and assessments only upon action by all such
6 municipalities.

7 (b) Termination of district.--The designation of an area as
8 a district may not be terminated until the projects constituting
9 the program of projects planned pursuant to section 4 have been
10 completed or canceled by the governing body of the municipality
11 or municipalities designating such district.

12 (c) Refund.--Upon cancellation of projects, any taxes or
13 assessments collected for those projects and not utilized by the
14 municipality or municipalities for the projects shall be
15 refunded.

16 Section 6. Participation in State highway projects.

17 The governing body of any municipality may participate in and
18 contribute to the planning, financing, development or
19 improvement of any State highway located within a transportation
20 development district upon terms and conditions agreed upon
21 between the municipality and the Secretary of Transportation.

22 Section 7. Repeals.

23 All acts and parts of acts are repealed insofar as they are
24 inconsistent with this act.

25 Section 8. Effective date.

26 This act shall take effect immediately.