THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1830 Session of 2003

INTRODUCED BY HERMAN, BENNINGHOFF, ROBERTS, BALDWIN, BARD, WILT, BARRAR, BIANCUCCI, CAPPELLI, CREIGHTON, DENLINGER, FABRIZIO, FEESE, FRANKEL, FREEMAN, GABIG, GINGRICH, GRUCELA, HORSEY, LEACH, LEVDANSKY, McILHATTAN, R. MILLER, O'NEILL, PAYNE, REICHLEY, ROHRER, ROSS, RUBLEY, SOLOBAY, SURRA AND YOUNGBLOOD, JULY 9, 2003

REFERRED TO COMMITTEE ON FINANCE, JULY 9, 2003

AN ACT

Amending the act of June 1, 1956 (1955 P.L.1944, No.655), 2 entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, 3 boroughs, incorporated towns and townships, for their road, 4 5 street and bridge purposes; conferring powers and imposing duties on local officers and the Department of Highways; and making an appropriation out of the Motor License Fund; and repealing existing legislation," providing for the 8 maintenance of bicycle and pedestrian trails. 10 The General Assembly of the Commonwealth of Pennsylvania 11 hereby enacts as follows: 12 Section 1. Section 2 of the act of June 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal 13 14 Allocation Law, is amended by adding a paragraph to read: 15 Section 2. As used in this act--16 17 (7) "Bicycle and pedestrian trail" means a right-of-way, 18 which may be new, shared or adjacent to a roadway, designed for

the exclusive use of nonmotorized vehicles or pedestrians.

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2	Section 2. Section 4(1) of the act, amended December 3, 1998		
3	(P.L.922, No.114), is amended to read:		
4	Section 4. The money hereby appropriated to municipalities		
5	shall be paid to the municipalities in accordance with the		
6	following formula and subject to the provisions of this act:		
7	(1) The money hereby allocated shall be paid to the cities,		
8	boroughs, towns and townships in accordance with the following		
9	formula:		
10	Five-tenths of this		The number of miles
11	allocation divided	Multiplied	in the particular
12	by the total miles	Ву	municipality.
13	of public roads and		
14	streets which are		
15	maintained by		
16	municipalities.		
17		Plus	
18	Five-tenths of this		The official
19	allocation divided	Multiplied	population of the
20	by the total official	Ву	particular
21	population of the		municipality as of
22	municipalities as of		January first of said
23	January first of the		year.
24	year in which the		
25	money is to be paid		
26	to the municipalities.		
27			
28			(Amount due the
29	particular municipality)		
30	To be expended by the authorities of the respective		

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- 1 municipalities (i) for the maintenance, repair, construction or
- 2 reconstruction of such public roads or streets, including
- 3 bridges, culverts and drainage structures for which they are
- 4 legally responsible and including the lining of streams
- 5 incidental to the drainage of highways, and for the maintenance,
- 6 repair, construction or reconstruction of curb ramps from a
- 7 road, street or highway to provide for access by individuals
- 8 with disabilities consistent with Federal and State law; (ii)
- 9 for the acquisition, maintenance, repair and operation of street
- 10 signs, traffic signs and traffic signal control systems; and
- 11 (iii) for the maintenance, repair, construction or
- 12 reconstruction of alleys, ways [and], courts and bicycle and
- 13 pedestrian trails for which they are legally responsible. Where
- 14 road, bridge, alley, way [or], court or bicycle and pedestrian
- 15 <u>trail</u> work is performed by the political subdivision the moneys
- 16 herein allocated may be used only for labor, hiring of
- 17 equipment, payrolls, purchase of material, including repair
- 18 parts necessary for the maintenance of equipment, small tools,
- 19 road drags and snow fences and, in addition, an amount not to
- 20 exceed twenty per centum of the total annual allocation received
- 21 by each municipality, may be used for the purchase of road
- 22 machinery and road equipment.
- 23 No municipality shall receive less than the amount allocated
- 24 to such municipality during the fiscal year ending June 30,
- 25 1969. So much as is necessary of the taxes collected on each
- 26 gallon of liquid fuel under ["The Liquid Fuel Tax Act" and on
- 27 each gallon of fuel under the "Fuel Use Tax Act"] 75 Pa.C.S. Ch.
- 28 <u>90 (relating to liquid fuels and fuels tax)</u> is hereby
- 29 appropriated out of the Motor License Fund to municipalities of
- 30 the Commonwealth for the purpose of making any additional

- 1 payments required under the provisions hereof. Funds hereby
- 2 appropriated shall be in addition to funds appropriated under
- 3 the provisions of section 3 of this act.
- 4 * * *
- 5 Section 3. This act shall take effect in 60 days.