

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2218 Session of  
2003

INTRODUCED BY HERMAN, HESS, WATSON, WILT, BASTIAN, BELFANTI,  
BENNINGHOFF, BOYD, BUNT, CAPPELLI, DENLINGER, DeWEESE,  
FABRIZIO, FICHTER, GINGRICH, GRUCELA, HARRIS, HICKERNELL,  
HORSEY, HUTCHINSON, KILLION, McILHATTAN, MELIO, O'NEILL,  
PALLONE, PISTELLA, READSHAW, RUBLEY, SATHER, SCAVELLO,  
SHANER, SOLOBAY, SURRA, TIGUE AND YOUNGBLOOD,  
NOVEMBER 25, 2003

REFERRED TO COMMITTEE ON TRANSPORTATION, NOVEMBER 25, 2003

AN ACT

1 Amending the act of June 1, 1956 (1955 P.L.1944, No.655),  
2 entitled "An act providing a permanent allocation of a part  
3 of the fuels and liquids fuels tax proceeds to cities,  
4 boroughs, incorporated towns and townships, for their road,  
5 street and bridge purposes; conferring powers and imposing  
6 duties on local officers and the Department of Highways; and  
7 making an appropriation out of the Motor License Fund; and  
8 repealing existing legislation," adding a definition of  
9 "computer-related hardware, software and training"; and  
10 further providing for moneys appropriated to municipalities.

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

13 Section 1. Section 2 of the act of June 1, 1956 (1955  
14 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal  
15 Allocation Law, is amended by adding a paragraph to read:

16 Section 2. As used in this act--

17 \* \* \*

18 (7) "Computer-related hardware, software and training" means  
19 electronic devices and their proper and related programming

1 necessary for the electronic processing of information and the  
2 associated instruction requisite for the exclusive operation of  
3 those devices.

4 Section 2. Section 4(1) of the act, amended December 3, 1998  
5 (P.L.922, No.114), is amended to read:

6 Section 4. The money hereby appropriated to municipalities  
7 shall be paid to the municipalities in accordance with the  
8 following formula and subject to the provisions of this act:

9 (1) The money hereby allocated shall be paid to the cities,  
10 boroughs, towns and townships in accordance with the following  
11 formula:

12 Five-tenths of this		The number of miles
13 allocation divided	Multiplied	in the particular
14 by the total miles	By	municipality.
15 of public roads and		
16 streets which are		
17 maintained by		
18 municipalities.		

19	Plus	
20 Five-tenths of this		The official
21 allocation divided	Multiplied	population of the
22 by the total official	By	particular
23 population of the		municipality as of
24 municipalities as of		January first of said
25 January first of the		year.
26 year in which the		
27 money is to be paid		
28 to the municipalities.		

29 .....

30 (Amount due the

1 particular municipality)

2 To be expended by the authorities of the respective

3 municipalities (i) for the maintenance, repair, construction or

4 reconstruction of such public roads or streets, including

5 bridges, culverts and drainage structures for which they are

6 legally responsible and including the lining of streams

7 incidental to the drainage of highways, and for the maintenance,

8 repair, construction or reconstruction of curb ramps from a

9 road, street or highway to provide for access by individuals

10 with disabilities consistent with Federal and State law; (ii)

11 for the acquisition, maintenance, repair and operation of street

12 signs, traffic signs and traffic signal control systems; [and]

13 (iii) for the maintenance, repair, construction or

14 reconstruction of alleys, ways and courts for which they are

15 legally responsible. Where road, bridge, alley, way or court

16 work is performed by the political subdivision the moneys herein

17 allocated may be used only for labor, hiring of equipment,

18 payrolls, purchase of material, including repair parts necessary

19 for the maintenance of equipment, small tools, road drags and

20 snow fences and, in addition, an amount not to exceed twenty per

21 centum of the total annual allocation received by each

22 municipality, may be used for the purchase of road machinery and

23 road equipment[.]; and (iv) for the acquisition of computer-

24 related hardware, software and training required for the

25 electronic processing of information concerning the funds

26 appropriated and allocated under this act, including the

27 preparation and electronic submission of the required annual

28 reports for payment certification, provided that expenditures

29 under this subclause may not exceed one thousand dollars

30 (\$1,000) annually.

1       No municipality shall receive less than the amount allocated  
2       to such municipality during the fiscal year ending June 30,  
3       1969. So much as is necessary of the taxes collected on each  
4       gallon of liquid fuel under "The Liquid Fuel Tax Act" and on  
5       each gallon of fuel under the "Fuel Use Tax Act" is hereby  
6       appropriated out of the Motor License Fund to municipalities of  
7       the Commonwealth for the purpose of making any additional  
8       payments required under the provisions hereof. Funds hereby  
9       appropriated shall be in addition to funds appropriated under  
10      the provisions of section 3 of this act.

11       \* \* \*

12      Section 3. This act shall take effect in 60 days.