
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 209 Session of
2013

INTRODUCED BY GODSHALL, STEPHENS, LAWRENCE, STERN, HALUSKA,
TRUITT, MARSHALL, GROVE, DENLINGER, FARRY AND MURT,
JANUARY 22, 2013

REFERRED TO COMMITTEE ON TRANSPORTATION, JANUARY 22, 2013

AN ACT

1 Amending Titles 74 (Transportation) and 75 (Vehicles) of the
2 Pennsylvania Consolidated Statutes, in sustainable mobility
3 options, further providing for the Public Transportation
4 Trust Fund; and, in Pennsylvania Turnpike, further providing
5 for definitions and for deposit and distribution of funds and
6 repealing provisions relating to failure to perform.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 1506(b)(1) and (e)(2)(i) of Title 74 of
10 the Pennsylvania Consolidated Statutes are amended to read:

11 § 1506. Fund.

12 * * *

13 (b) Deposits to fund by department.--

14 (1) The following apply:

15 (i) Except as provided under subparagraph (ii), upon
16 receipt, the department shall deposit into the fund the
17 revenues received by the department under 75 Pa.C.S. Ch.
18 89 (relating to Pennsylvania Turnpike) and the lease
19 agreement executed between the department and the

1 Pennsylvania Turnpike Commission under 75 Pa.C.S. §
2 8915.3 (relating to lease of Interstate 80; related
3 agreements) as follows:

4 (A) For fiscal year 2007-2008, \$250,000,000.

5 (B) For fiscal year 2008-2009, \$250,000,000.

6 (C) For fiscal year 2009-2010, \$250,000,000.

7 [(D) For fiscal year 2010-2011 and each fiscal
8 year thereafter, the amount calculated for the
9 previous fiscal year, increased by 2.5%.

10 (ii) The deposits made to the fund under this
11 subsection shall equal \$250,000,000 annually for each
12 fiscal year commencing after the expiration of the
13 conversion period if the conversion notice is not
14 received by the secretary prior to expiration of the
15 conversion period as set forth under 75 Pa.C.S. §
16 8915.3(3).]

17 * * *

18 (e) Program funding amounts.--Subject to available funds,
19 the programs established under this chapter shall be funded
20 annually as follows:

21 * * *

22 (2) (i) Except as provided under subparagraph (ii), for
23 the program established under section 1514 (relating to asset
24 improvement program):

25 (A) By the proceeds of Commonwealth capital
26 bonds deposited into the fund under subsection (c)
27 (2).

28 (A.1) For fiscal year 2007-2008, \$50,000,000
29 from the revenues received by the department under 75
30 Pa.C.S. Ch. 89 and the lease agreement executed

1 between the department and the Pennsylvania Turnpike
2 Commission under 75 Pa.C.S. § 8915.3. The amount
3 received by the department under this section shall
4 be deposited into the fund prior to distribution and
5 shall be in addition to the amounts received under
6 subsection (b) (1).

7 (B) For fiscal year 2008-2009, \$100,000,000 from
8 the revenues received by the department under 75
9 Pa.C.S. Ch. 89 and the lease agreement executed
10 between the department and the Pennsylvania Turnpike
11 Commission under 75 Pa.C.S. § 8915.3. The amount
12 received by the department under this section shall
13 be deposited into the fund prior to distribution and
14 shall be in addition to the amounts received under
15 subsection (b) (1).

16 (C) For fiscal year 2009-2010, \$150,000,000 from
17 the revenues received by the department under 75
18 Pa.C.S. Ch. 89 and the lease agreement executed
19 between the department and the Pennsylvania Turnpike
20 Commission under 75 Pa.C.S. § 8915.3. The amount
21 received by the department under this section shall
22 be deposited into the fund prior to distribution and
23 shall be in addition to the amounts received under
24 subsection (b) (1).

25 [(D) For fiscal year 2010-2011 and each fiscal
26 year thereafter, the amount calculated for the prior
27 fiscal year increased by 2.5% from the revenues
28 received by the department under 75 Pa.C.S. Ch. 89
29 and the lease agreement executed between the
30 department and the Pennsylvania Turnpike Commission

1 under 75 Pa.C.S. § 8915.3. The amount received by the
2 department under this section shall be deposited into
3 the fund prior to distribution and shall be in
4 addition to the amounts received under subsection (b)
5 (1).]

6 * * *

7 Section 2. The definitions of "annual additional payments,"
8 "annual base payments" and "scheduled annual commission
9 contribution" in section 8901 of Title 75 are amended to read:
10 § 8901. Definitions.

11 The following words and phrases when used in this chapter
12 shall have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 ["Annual additional payments." As follows:

15 (1) During the conversion period and after the
16 conversion date, an amount equal to the scheduled annual
17 commission contribution, minus the sum of:

- 18 (i) \$200,000,000 paid as annual base payments;
19 (ii) any Interstate 80 savings for that fiscal year.

20 (2) If the conversion period has expired and a
21 conversion notice has not been received by the secretary, in
22 each subsequent fiscal year until the end of the term of the
23 lease agreement, the annual additional payments shall be
24 \$250,000,000.

25 "Annual base payments." An amount equal to the sum of the
26 following:

27 (1) Annual debt service on outstanding bonds issued
28 under section 9511.2 (relating to special revenue bonds)
29 payable as required pursuant to the bonds.

30 (2) Two hundred million dollars payable annually in four

1 equal installments each due the last business day of each
2 July, October, January and April.]

3 * * *

4 "Scheduled annual commission contribution." The following
5 amounts:

6 (1) \$750,000,000 in fiscal year 2007-2008.

7 (2) \$850,000,000 in fiscal year 2008-2009.

8 (3) \$900,000,000 in fiscal year 2009-2010.

9 [(4) For fiscal year 2010-2011 and each fiscal year
10 thereafter, the amount shall be the amount calculated for the
11 previous year increased by 2.5%, except that the amount shall
12 be equal to the annual base payments plus \$250,000,000 if the
13 conversion notice is not received by the secretary prior to
14 the expiration of the conversion period.]

15 Section 3. Section 8915.6(a) of Title 75 is amended to read:

16 § 8915.6. Deposit and distribution of funds.

17 (a) Deposits.--Upon receipt by the department, the following
18 amounts from the scheduled annual commission contribution shall
19 be deposited in the Motor License Fund:

20 (1) For fiscal year 2007-2008, \$450,000,000.

21 (2) For fiscal year 2008-2009, \$500,000,000.

22 (3) For fiscal year 2009-2010, \$500,000,000.

23 [(4) For fiscal year 2010-2011 and each fiscal year
24 thereafter, the amount calculated for the previous year
25 increased by 2.5%.]

26 * * *

27 Section 4. Section 8918 of Title 75 is repealed:

28 [§ 8918. Failure to perform.

29 (a) Notice.--The Secretary of the Budget shall send written
30 notice to the commission and to the Governor of the failure of

1 the commission to do any of the following:

2 (1) Make a payment to the department under this chapter
3 or the lease agreement.

4 (2) Deliver a financial plan to the Secretary of the
5 Budget within the time prescribed under section 8917
6 (relating to financial plan).

7 (b) Unanimous vote required.--

8 (1) Except as provided under paragraph (1.1), upon the
9 receipt by the commission of the notice under subsection (a)
10 and notwithstanding any other provision of law, action of the
11 commission taken by vote of the commissioners shall require a
12 unanimous vote of all commissioners. Violation of this
13 paragraph shall render the action invalid.

14 (1.1) A unanimous vote shall not be required if it would
15 prevent the commission from complying with any covenants made
16 to current bondholders, debt holders or creditors.

17 (2) The requirement of paragraph (1) shall continue
18 until:

19 (i) the required payments have been made to the
20 department or the required financial plan has been
21 delivered; and

22 (ii) the Secretary of the Budget has notified the
23 commission and the Governor of that fact.]

24 Section 5. This act shall take effect immediately.