

## No. 1990-124

## AN ACT

SB 1368

Amending the act of September 30, 1985 (P.L.240, No.61), entitled "An act to facilitate vehicular traffic within and across the Commonwealth by providing for the construction, reconstruction, improvement, operation and maintenance of toll roads and the conversion of existing toll-free roads to toll roads in Pennsylvania; conferring powers and imposing duties on the Pennsylvania Turnpike Commission; providing for membership on the Pennsylvania Turnpike Commission; authorizing issuance of turnpike revenue bonds, notes or other obligations of the commission, payable solely from revenues of the commission, including tolls, or from such other funds as may be available to the commission for that purpose, to pay the costs of such toll roads including the acquisition and other costs of toll-free roads and for refunding purposes; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, notes or other obligations, and for the cost of maintenance, operation and repair of the toll roads including toll-free roads converted to toll roads; making such turnpike revenue bonds, notes or other obligations exempt from taxation; constituting the same legal investments in certain instances; requiring suits against the commission to be brought in the courts in which such actions may be brought against the Commonwealth; prescribing conditions on which toll roads shall be turned over to the Department of Transportation; providing for grade separations, grade changes, relocations, restorations and vacations of public roads and State highways affected by the toll roads; providing for the purchasing or condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipalities and agencies of the Commonwealth to cooperate with the commission; conferring powers and imposing duties on the Department of Transportation; authorizing the Secretary of Transportation to enter into negotiations with the United States Department of Transportation, the Federal Highway Administration or any other Federal agency regarding the conversion of toll-free highways constructed in the Commonwealth using Federal funds to toll roads; and authorizing the Secretary of Transportation to enter into agreements on behalf of the Commonwealth and the commission with the United States Department of Transportation, the Federal Highway Administration or any other Federal agency with respect to obtaining Federal funds for resurfacing, restoring, rehabilitating or reconstructing toll roads in Pennsylvania," further providing for a turnpike interchange at New Cumberland Army Depot and for an interchange on the Northeast Extension.

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

Section 1. Section 3(a)(8) of the act of September 30, 1985 (P.L.240, No.61), known as the Turnpike Organization, Extension and Toll Road Conversion Act, is amended and the subsection is amended by adding a paragraph to read:

Section 3. Authorization for turnpike extensions, turnpike improvements and the conversion of toll-free roads to toll roads.

(a) Improvement and extension authorizations.—In order to facilitate vehicular traffic within and across this Commonwealth, the Pennsylvania Turnpike Commission heretofore created by virtue of the provisions of the

act of May 21, 1937 (P.L.774, No.211), referred to as the Pennsylvania Turnpike Commission Act, and the supplements and amendments thereto and reorganized by this act, is hereby authorized and empowered to construct, operate and maintain turnpike extensions and turnpike improvements at such specific locations and according to such schedule as shall be deemed feasible and approved by the commission, together with connecting roads, storm water management systems, tunnels and bridges, subject to the waiver of the Federal toll prohibition provisions where applicable, as follows:

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(8) [Immediately enter negotiations with the United States Department of Defense for the construction and operation of] *Construct* a private turnpike interchange directly connected to the New Cumberland Army Depot. *The commission may commence construction of the private turnpike interchange notwithstanding the construction schedule established by this section.*

(9) *Construct an interchange on the Northeast Extension with State Route 903 in Carbon County. The commission may commence construction of this interchange notwithstanding the construction schedule established by this section.*

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Section 2. This act shall take effect immediately.

APPROVED—The 11th day of July, A. D. 1990.

ROBERT P. CASEY