

No. 123

AN ACT

To amend sections 15 and 17 of the act, approved the twenty-second day of April, one thousand nine hundred forty-nine (Pamphlet Laws 715), entitled "An act empowering, authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania; providing the procedure therefor, and prescribing certain duties of the Governor, the Auditor General and the State Treasurer to be exercised in connection therewith; conferring jurisdiction in condemnation proceedings on certain courts of common pleas; authorizing the Secretary of Highways to enter into agreements with a state authority or agency for the acquisition of such toll bridges; providing for the operation of such bridges as toll bridges after acquisition, providing a plan for making such bridges free bridges under certain terms and conditions, and for their control and maintenance after acquisition; and making an appropriation," by authorizing the Secretary of Highways to procure and pay for certain insurance for bridges acquired under the provisions of said act; and providing for the assignment of route numbers to such bridges.

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

State acquisition
of toll bridges.

Section 1. *Sections fifteen and seventeen of the act, approved the twenty-second day of April, one thousand nine hundred forty-nine (Pamphlet Laws 715), entitled "An act empowering, authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania; providing the procedure therefor, and prescribing certain duties of the Governor, the Auditor General and the State Treasurer to be exercised in connection therewith; conferring jurisdiction in condemnation proceedings on certain courts of common pleas; authorizing the Secretary of Highways to enter into agreements with a state authority or agency for the acquisition of such toll bridges; providing for the operation of such bridges as toll bridges after acquisition, providing a plan for making such bridges free bridges under certain terms and conditions, and for their control and maintenance after acquisition; and making an appropriation," are hereby amended to read as follows:

Sections 15 and
17, act of April
22, 1949, P. L.
715, amended.

Section 15. The Secretary of Highways, upon acquiring any such toll bridge, is hereby directed to continue the collection of tolls and charges on such bridge or bridges or reconstructed bridges until the Commonwealth has been reimbursed to the full extent of the original cost of acquiring such bridge, together with such interest thereon as shall have been expended by the Commonwealth and the cost of compensation of toll collectors *and the cost of any insurance procured for such bridge*. All

Tolls and charges
to be collected by
Secretary of
Highways until
Commonwealth
is reimbursed
full costs of
acquisition, etc.

* "Section" in original.

Bridge to become a free bridge thereafter.

Proviso.

Secretary of Highways to fix amount of tolls and charges.

Bridges so acquired made part of State Highway system and designated by numbers to be assigned by Secretary of Highways.

Bridges to be insured until they become free bridges.

Department of Highways to take over and succeed to all agreements with public service companies.

Department of Highways to take over and succeed to any agreements providing for easements and licenses.

tolls and charges collected by the Secretary of Highways shall be paid into the Toll Bridge Fund and the salaries of toll collectors *and any insurance premiums* shall be paid therefrom, on requisition of the Secretary of Highways. Whenever the tolls collected from such bridge, after deduction of all moneys expended for the cost of compensation of toll collectors *and costs of insurance*, shall have become sufficient to reimburse the Commonwealth in full for the cost of acquiring such bridge with interest thereon, as aforesaid, then such bridge shall become and be thereafter a free bridge; Provided, however, That any such bridge shall be maintained as a free bridge and the collection of tolls thereon shall cease if at any time the legislature shall provide for the payment out of the General Fund or from the Motor License Fund, if authorized by constitutional amendment, of all interest and sinking fund charges of any bonds issued for the acquisition of such bridge. The Secretary of Highways is hereby authorized to adjust, readjust and fix, from time to time, the amount of tolls and charges on such bridge as may be acquired under the provisions of this act, for the purpose of paying the interest and sinking fund charges on bonds issued for the purpose of acquisition.

Section 17. Whenever any such bridge is acquired by the Commonwealth, as hereinbefore provided, it shall be a part of the system of State highways *and be designated by a number to be assigned by the Secretary of Highways* and shall be under the control of the Department of Highways, and shall be thereafter maintained, kept in repair and rebuilt by the Department of Highways in accordance with the law relating to State highways and bridges. *The Secretary of Highways, in his discretion, may procure insurance upon such bridge for protection against destruction of or damage to such bridge, in such amounts not exceeding actual value of such bridge, as he shall deem necessary, until such bridge becomes a free bridge.* The Department of Highways shall take over and succeed to all agreements with public service companies or other persons for the use and occupancy of such bridges by the facilities of such companies, such use and occupancy to be governed by the law relating to the issuance of occupancy permits on bridges under the jurisdiction of the Department of Highways.

The Department of Highways may take over and succeed to any agreement in effect at the time of the acquisition of any toll bridge providing for easements and licenses in respect of such bridge which, in the opinion of the Secretary of Highways, will not materially interfere with the use and operation of such bridge as a thoroughfare.

Section *2. The provisions of this act shall become effective immediately upon final enactment. Act effective immediately.

APPROVED—The 29th day of May, A. D. 1951.

JOHN S. FINE

No. 124

AN ACT

To amend subsection (d) of section 4 and section 11 of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (Pamphlet Laws 604), entitled "An act to promote the welfare of the people of the Commonwealth; creating a State Highway and Bridge Authority as a body corporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish, and operate highway and bridge projects, and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Highways to grant, assign, convey, or lease to the Authority lands, easements, or rights of way of the Commonwealth and interests therein, and to acquire lands therefor; authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act; and making an appropriation," by authorizing the leasing of certain projects upon their being opened to public use.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: "State Highway and Bridge Authority Act."

Section 1. Subsection (d) of section 4 and section 11 of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (Pamphlet Laws 604), entitled "An act to promote the welfare of the people of the Commonwealth; creating a State Highway and Bridge Authority as a body corporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish, and operate highway and bridge projects, and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Highways to grant, assign, convey, or lease Subsection (d) of section 4 and section 11, act of April 18, 1949, P. L. 604, amended.

* "3" in original.