

## No. 233

## AN ACT

Authorizing the Department of Highways to enter into an agreement or agreements with the Highway Commission of the State of New Jersey for the construction, under certain terms and conditions, of a free bridge across the Delaware River at or near Yardley; granting certain powers to the Department of Highways in connection with said construction; and making an appropriation.

Section 1. Be it enacted, &c., That the Department of Highways is hereby empowered and authorized to enter into an agreement or agreements with the Highway Commission of the State of New Jersey for the construction of a free bridge across the Delaware River, at or near Yardley, between the Commonwealth of Pennsylvania and the State of New Jersey, the exact location of said bridge to be fixed and determined in said agreement.

Section 2. Said agreement shall provide that the cost and expense of constructing said bridge shall be borne fifty (50) per centum by the Commonwealth of Pennsylvania and fifty (50) per centum by the State of New Jersey; provided, however, that the Commonwealth of Pennsylvania shall not be obligated to pay its portion of the cost unless and until the Federal Government shall approve the construction of said bridge, and shall have agreed to grant to the Commonwealth of Pennsylvania, as Federal aid, a sum equal to twenty-five (25) per centum of the contract amount or fifty (50) per centum of the amount which will be the obligation of the Commonwealth of Pennsylvania.

Section 3. Said agreement shall provide for the making and preparation of the necessary surveys, plans, and specifications by the highway departments of the Commonwealth of Pennsylvania and the State of New Jersey, either jointly or by either in such manner as may be agreed upon, and the securing of Federal approval, and the letting of the contract and supervision and inspection of the work may be handled in the same manner; provided, however, that said agreement shall make an equal division of the expense involved between the State of New Jersey and the Commonwealth of Pennsylvania; and provided, further, that each state shall secure, at its own cost and expense, the necessary right-of-way, within their respective limits, required for the construction of said bridge.

Section 4. In so far as the construction in Pennsylvania is concerned, the Department of Highways shall have and exercise all of the powers and rights vested in the joint commission by the act, approved the tenth day of May, one thousand nine hundred and twenty-seven (Pamphlet Laws, eight hundred sixty-three), entitled "A supplement to an act, approved the eighth day of May, one thousand nine hundred and nineteen (Pam-

Free bridge across Delaware River at Yardley.

Department of Highways authorized to enter into agreement for construction.

Expense of construction.

Federal aid.

Plans and specifications.

Federal approval

Equal division of expense.

Right-of-ways

Powers of Department of Highways over construction in Pennsylvania.

phlet Laws, one hundred and forty-eight), entitled 'An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River,' and its amendments, extending the powers of the commission created under said act so as to provide for the construction and maintenance of free bridges.'

Appropriation for construction and Federal aid moneys.

Section 5. So much of the money as may be necessary to carry out the provisions of this act is hereby specifically appropriated to the Department of Highways out of the Motor License Fund, and all Federal aid received on said project from the Federal Government shall be deposited in the Motor License Fund.

Maintenance to be borne in equal proportions.

Section 6. Upon its completion, said bridge shall be a free bridge and shall be maintained by the Commonwealth of Pennsylvania and the State of New Jersey, and the cost thereof shall be borne and paid by the Commonwealth of Pennsylvania and the State of New Jersey in equal proportions; provided, however, that the Secretary of Highways is empowered and authorized to enter into an agreement or agreements with the Highway Commission of the State of New Jersey providing that the maintenance shall be done by either of their respective highway departments and reimbursement made to the one doing the work by the other. So much of the money as may be necessary from time to time is hereby specifically appropriated to the Department of Highways, out of the Motor License Fund, for defraying the share of the cost of maintenance properly chargeable to the Commonwealth of Pennsylvania.

Agreement for maintenance.

Appropriation for maintenance.

When act shall become effective.

Section 7. This act shall become effective upon its approval by the Governor and the enactment into law of a similar, or substantially similar, statute by the State of New Jersey, making a like appropriation, and conferring like powers upon its Highway Commission.

Governor to apply to Congress for consent and approval.

Section 8. The Governor is hereby authorized to apply, on behalf of the Commonwealth of Pennsylvania, to the Congress of the United States for its consent and approval to said compact or agreement; but in the absence of such consent and approval, the said highway departments, or either of them as may be agreed upon, shall have all the powers which the Commonwealth of Pennsylvania and the State of New Jersey may confer upon them or it without the consent and approval of Congress.

APPROVED—The 25th day of May, A. D. 1933.

GIFFORD PINCHOT