

No. 238

AN ACT

HB 110

Amending the act of April 12, 1957 (P.L.61), entitled "An act authorizing and empowering the Delaware River Port Authority, a body corporate and politic, functioning under the legislation enacted by the Commonwealth of Pennsylvania and the State of New Jersey, and the express consent of the Congress of the United States, to appoint policemen; make rules and regulations for the prevention of disorder, the preservation of safety, and the conservation of traffic on such bridges and in such tunnels and approaches thereto as the commission does or may hereafter operate; to prevent the evasion of the payment of tolls; and providing a penalty for the violation of any such rules or regulations or for the evasion or the attempt to evade the payment of tolls," granting to wholly-owned subsidiary corporations of the Delaware River Port Authority the power and authority to appoint police, extending the jurisdiction of police to any rapid transit system, ferry and other facility and property of the Delaware River Port Authority, and its wholly-owned subsidiary corporations, making the passing of toll or fare collection points without payment of tolls, fares or charges an evasion subjecting the offender to arrest and fixing penalties therefor, extending the power of the Delaware River Port Authority to adopt rules and regulations for the proper government of its bridges and tunnels to other facilities and property of the Delaware River Port Authority, granting to wholly-owned subsidiary corporations of the Delaware River Port Authority the power and authority to adopt rules and regulations for the proper government of their rapid transit systems, ferries and other of their facilities and property, and providing that violation of such rules and regulations shall be an offense subjecting the offender to arrest and the payment of fine or imprisonment.

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

Section 1. Section 1, act of April 12, 1957 (P.L.61), entitled "An act authorizing and empowering the Delaware River Port Authority, a body corporate and politic, functioning under the legislation enacted by the Commonwealth of Pennsylvania and the State of New Jersey, and the express consent of the Congress of the United States, to appoint policemen; make rules and regulations for the prevention of disorder, the preservation of safety, and the conservation of traffic on such bridges and in such tunnels and approaches thereto as the commission does or may hereafter operate; to prevent the evasion of the payment of tolls; and providing a penalty for the violation of any such rules or regulations or for the evasion or the attempt to evade the payment of tolls," is amended to read:

Section 1. The Delaware River Port Authority, a body corporate and politic, functioning under the legislation enacted by the Commonwealth of Pennsylvania and the State of New Jersey, and the express consent of the Congress of the United States, *and its wholly-owned subsidiary corporations through which it is effectuating its authorized purposes*, shall have the power and authority [conferred upon it] to appoint the number of policemen as is found necessary to keep in safety and preserve order

upon the bridges and tunnels and approaches thereto, *and upon the rapid transit systems, ferries, facilities and other property* as the [commission] *Delaware River Port Authority or such subsidiary corporations* does or may hereafter *own, lease or* operate; to administer to such policemen an oath or affirmation faithfully to perform the duties of their respective positions or offices; and to provide for the payment of such policemen from the tolls, *fares, charges* and other revenue of the [commission] *Delaware River Port Authority or such subsidiary corporations*. The policemen so appointed shall have the power and authority to make arrests for *any* crimes, misdemeanors, and offenses [of any character] committed *under the laws of the State of New Jersey or the Commonwealth of Pennsylvania* upon the bridges or within the tunnels [and] *or* approaches thereto, *on the rapid transit systems, ferries, facilities or other property*, for disorder or breach of the peace, [and] *or* for violations of any lawful regulation which may be adopted by the Delaware River Port Authority, *or such subsidiary corporations*. The policemen shall be authorized and empowered to make arrests for evasion or attempts to evade the payment of tolls, *fares or other charges* which may be fixed or may have been fixed [for passage over the bridges or through the tunnels and approaches thereto] *for the use of such bridge, tunnel, rapid transit system, or ferry, facility or other property*.

To pass over any part of the bridges or through the tunnels and approaches thereto in any vehicle for which tolls are collectible, *or for any person or vehicle to use the rapid transit systems or ferries or other facilities or property* without passing through the toll gates or paying the necessary tolls, *fares or charges* constitutes an evasion and shall subject the person so evading or attempting to evade the payment of tolls, *fares or charges* to arrest. Upon the apprehension or arrest of any person or persons for any of the foregoing reasons, the offender may be taken before any [magistrate of the city and county of Philadelphia or any] proper judicial officer of the Commonwealth of Pennsylvania or of the State of New Jersey without respect to the portion of the bridge, [or tunnel, and approaches thereto] *tunnel, ferry facility, rapid transit system, facilities or other property* upon or within which such offense may have been committed or attempted or such offender arrested, and thereupon such [magistrate or] judicial officer shall have power and authority to punish the offender as hereinafter provided. The Delaware River Port Authority, *and its wholly-owned subsidiary corporations through which it is effectuating its authorized purposes* shall have the power to adopt such rules and regulations as [it may] *they may respectively* deem expedient for the proper government of the bridges, [or] tunnels, [and] approaches thereto, *rapid transit systems, ferries, facilities or other property* and for the preservation of good order, safe traffic, and proper conduct thereon or therein.

Any person violating any of the provisions of this act, or of any rule or

regulation adopted by the Delaware River Port Authority, *or its said subsidiary corporations*, or who evades or attempts to evade payment of tolls, *fares or charges* shall, upon summary conviction before a [magistrate] *proper judicial officer* of this Commonwealth, or of a [comparable] *proper* judicial officer of the State of New Jersey, be sentenced to pay a fine of not less than ten dollars (\$10), nor more than twenty-five dollars (\$25), and costs of prosecution, and in default of the payment thereof, shall undergo imprisonment for not less than ten days nor more than thirty days, and upon conviction of any subsequent offense, shall be sentenced to pay a fine of not less than twenty-five dollars (\$25), nor more than fifty dollars (\$50), and costs of prosecution, or to undergo imprisonment for not less than thirty days nor more than sixty days.

Section 2. The powers vested by this act in the Delaware River Port Authority, and its subsidiary corporations, shall be construed as being in addition to and not in diminution of the powers heretofore vested in the Delaware River Port Authority, and its subsidiary corporations.

Section 3. All acts and parts of acts are repealed in so far as they are inconsistent herewith.

Section 4. This act shall take effect upon the enactment into law by the State of New Jersey of legislation having a substantially similar effect as this act, but if the State of New Jersey shall have already enacted such legislation, this act shall take effect immediately.

APPROVED—The 25th day of November, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 238.


Secretary of the Commonwealth.