

No. 1981-32

## AN ACT

HB 1043

Amending the act of February 11, 1976 (P.L.14, No.10), entitled "An act authorizing development of rural and intercity common carrier surface transportation," mandating certain intercity rail service and defining local financial responsibilities.

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

Section 1. Subsection (b) of section 5, act of February 11, 1976 (P.L.14, No.10), known as the "Pennsylvania Rural and Intercity Common Carrier Surface Transportation Assistance Act," is amended and the section is amended by adding subsections to read:

Section 5. Intercity Rail Passenger Service Program.—\*\*\*

(b) The department shall coordinate the intercity rail passenger activities of the Commonwealth and other interested public and private organizations and persons to effectuate the purposes of this section and shall have the responsibility for negotiating with the Federal Government with respect to intercity rail passenger service programs. The secretary is authorized to enter into joint service agreements between the Commonwealth and any railroad company; any other Commonwealth department or agency or instrumentality thereof; any Federal agency; any other state or agency or instrumentality thereof; **[or any political subdivision or municipality of the Commonwealth or any other state, or any instrumentality thereof,]** relating to property, buildings, structures, facilities, services, rates, fares, classifications, dividends, allowances or charges (including charges between intercity rail passenger service facilities), or rules or regulations pertaining thereto, for or in connection with or incidental to transportation in whole or in part upon intercity rail passenger service facilities. Intercity rail passenger service facilities include the right-of-way and related trackage, rails, cars, locomotives, or other rolling stock, signal, power, fuel, communication and ventilation systems, power plants, stations, terminals, storage yards, repair and maintenance shops, yards, equipment and parts, offices and other real estate or personalty used or held for or incidental to the operation, rehabilitation or improvement of any railroad operating intercity rail passenger service or to operate such service, including but not limited to buildings, structures, and rail property.

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*(d) The Commonwealth shall provide financial assistance to insure the continuation of:*

*(1) rail passenger shuttle services between Reading-Norristown, between Bethlehem-Lansdale and between Pottsville-Reading; and*

*(2) rail passenger service between Beaver Falls and Pittsburgh.*

*(e) The following limitations shall apply to the provisions of subsection (d):*

*(1) The railroad companies or other railroad operating agencies agree to provide the service.*

*(2) Federal matching funds are provided.*

*(3) These services achieve a minimum cost recovery (revenue/expense ratio) of 0.30 and the State subsidy per passenger trip does not exceed the comparable fare charged by alternate bus services.*

*(4) For fiscal year 1981-1982, the department shall arrange to have services continued as presented above so long as a railroad passenger company or organization agrees to provide said services.*

*(f) The rail passenger services pursuant to this section shall not require local government financial participation. However, if Federal matching funds become unavailable the department may require local financial participation to the extent deemed necessary by the department to justify continued operation of these services.*

Section 2. This act shall take effect July 1, 1981.

APPROVED—The 16th day of June, A. D. 1981.

DICK THORNBURGH