

No. 1984-92

AN ACT

SB 1045

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," granting additional power to the department to dispose of certain lands.

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

Section 1. Section 7(a) of the 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 to read:

Section 7. Contracts; Procurement and Sale of Property; Competition in Award of Contracts.—(a) *(1)* The department shall have power and authority to enter into contracts and to make joint contracts of purchase with any transportation organization and/or company in any manner complying with the law applicable to such transportation organization and/or company. The department shall also have power and authority to make contracts for the improvement of any rights-of-way, roadbeds or rolling stock, or electrification systems, or other transportation systems, or parts thereof, constituting a project without advertisement for competitive bids, where such work is to be done at cost by the personnel and with the facilities of the local transportation organization or company on whose system such property is to be used. **[The]**

(2) Any other provision of law to the contrary notwithstanding, the department may sell, transfer, [or] lease or grant any license to, easement over or any other interest in all, or any part, of the rail properties and other property acquired under the provisions of this or any other rail-related act to any responsible person, firm, [or] corporation, political subdivision or instrumentality thereof, municipal authority, transportation authority or Federal agency for continued operation or other uses compatible with the operation of a railroad, or [other] any public purpose, provided that approval for the continued operation, or other public purpose, is granted by the Interstate Commerce Commission of the United States, whenever approval is required.

(3) In the event the department determines that there is no need for continued operation of a railroad on any rail properties or other properties acquired under the provisions of this or any other rail-related act and that the properties are not needed for any other public purpose, the department may sell under a system of public competitive bidding, transfer, lease or grant any license to, easement over or any other interest in all or any part of the properties to any responsible person, firm, corporation, political subdivision or instrumentality thereof, municipal authority, transportation authority or

Federal agency for any worthwhile purpose, as determined by the department.

(4) At least 30 days prior to the sale of any property as authorized by paragraph (2) or (3), the department shall provide written notice thereof to the chairmen of the Transportation Committees of the Senate and House of Representatives.

* * *

Section 2. This act shall take effect immediately.

APPROVED—The 28th day of June, A. D. 1984.

DICK THORNBURGH