

No. 1984-215

AN ACT

HB 2244

Amending the act of April 12, 1957 (P.L.61, No.34), 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," authorizing the issuance of citations to persons charged with evading or attempting to evade the payment of tolls.

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

Section 1. Section 1 of the act of April 12, 1957 (P.L.61, No.34), 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," amended November 25, 1970 (P.L.735, No.238), 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 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 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 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 committed under the laws of the State of New

Jersey or the Commonwealth of Pennsylvania upon the bridges or within the tunnels or approaches thereto, on the rapid transit systems, ferries, facilities or other property, for disorder or breach of the peace, 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 *or issue citations* for evasion or attempts to evade the payment of tolls, fares or other charges which may be fixed or may have been fixed 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 *or receipt of a citation*. Upon the apprehension or arrest of any person or persons for any of the foregoing reasons, the offender may be taken before any proper judicial officer of the Commonwealth of Pennsylvania or of the State of New Jersey without respect to the portion of the bridge, 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 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 they may respectively deem expedient for the proper government of the bridges, tunnels, 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 proper judicial officer of this Commonwealth, or of a 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. This act shall take effect immediately.

APPROVED—The 18th day of December, A. D. 1984.

DICK THORNBURGH