

No. 1998-114

AN ACT

SB 101

Amending the act of June 1, 1956 (1955 P.L.1944, No.655), entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; conferring powers and imposing duties on local officers and the Department of Highways; and making an appropriation out of the Motor License Fund; and repealing existing legislation," defining terms; and further providing for the maintenance of alleys and courts.

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

Section 1. Section 2(1) of the act of June 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal Allocation Law, amended August 13, 1963 (P.L.804, No.398), is amended and the section is amended by adding paragraphs to read:

Section 2. As used in this act—

(1) "Department" means the Department of [Highways] *Transportation*.

* * *

(4) "*Court*" means a dead-end roadway designed to provide access to properties abutting thereon which has a length of less than two hundred fifty feet or a vehicle turn-around area with a radius of less than forty feet.

(5) "*Alley*" means a narrow roadway, usually to the rear of abutting properties, designed for the purpose of access to the rear of such properties and not as a thoroughfare; and every roadway less than sixteen feet in width.

(6) "*Way*" means a short stretch of roadway having both terminals in a street or road and designed to provide access to properties abutting thereon.

Section 2. Section 4(1) of the act, amended May 27, 1994 (P.L.260, No.42), is amended to read:

Section 4. The money hereby appropriated to municipalities shall be paid to the municipalities in accordance with the following formula and subject to the provisions of this act:

(1) The money hereby allocated shall be paid to the cities, boroughs, towns and townships in accordance with the following formula:

Five-tenths of this		The number of miles
allocation divided	Multiplied	in the particular
by the total miles	By	municipality.
of public roads and		
streets which are		

maintained by municipalities.

Plus

Five-tenths of this allocation divided by the total official population of the municipalities as of January first of the year in which the money is to be paid to the municipalities.

Multiplied
By

The official population of the particular municipality as of January first of said year.

(Amount due the particular municipality)

To be expended by the authorities of the respective municipalities (i) for the maintenance, repair, construction or reconstruction of such public roads or streets, including bridges, culverts and drainage structures for which they are legally responsible and including the lining of streams incidental to the drainage of highways, and for the maintenance, repair, construction or reconstruction of curb ramps from a road, street or highway to provide for access by individuals with disabilities consistent with Federal and State law; **[and]** (ii) for the acquisition, maintenance, repair and operation of street signs, traffic signs and traffic signal control systems[. **Where road or bridge]; and (iii) for the maintenance, repair, construction or reconstruction of alleys, ways and courts for which they are legally responsible. Where road, bridge, alley, way or court** work is performed by the political subdivision the moneys herein allocated may be used only for labor, hiring of equipment, payrolls, purchase of material, including repair parts necessary for the maintenance of equipment, small tools, road drags and snow fences and, in addition, an amount not to exceed twenty per centum of the total annual allocation received by each municipality, may be used for the purchase of road machinery and road equipment.

No municipality shall receive less than the amount allocated to such municipality during the fiscal year ending June 30, 1969. So much as is necessary of the taxes collected on each gallon of liquid fuel under "The Liquid Fuel Tax Act" and on each gallon of fuel under the "Fuel Use Tax Act" is hereby appropriated out of the Motor License Fund to municipalities of the Commonwealth for the purpose of making any additional payments required under the provisions hereof. Funds hereby appropriated shall be in addition to funds appropriated under the provisions of section 3 of this act.

* * *

Section 3. This act shall take effect in 60 days.

APPROVED—The 3rd day of December, A.D. 1998.

THOMAS J. RIDGE