
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2282 Session of
2020

INTRODUCED BY SCHROEDER AND HENNESSEY, MARCH 4, 2020

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 4, 2020

AN ACT

1 Amending Title 74 (Transportation) of the Pennsylvania
2 Consolidated Statutes, in preliminary provisions relating to
3 aviation, further providing for Aviation Restricted Account;
4 and making a related repeal.

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

7 Section 1. Section 5103 of Title 74 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 5103. Aviation Restricted Account.

10 (a) Creation of account.--There is hereby created a special
11 account in the [State Treasury] Motor License Fund which shall
12 be known as the Aviation Restricted Account.

13 (b.1) Source.--The revenue from the following sources shall
14 be deposited in the Aviation Restricted Account:

15 (1) Proceeds of all excise taxes upon the use of fuel in
16 aircraft engines.

17 (2) The cost of the use of department aircraft by
18 Commonwealth agencies and the General Assembly, charged under
19 section 5302 (relating to aircraft for official use).

1 (3) Money collected under sections 5703 (relating to
2 disposition of fines, fees and forfeitures) and 5901
3 (relating to Harrisburg International Airport).

4 (4) Proceeds from the sale of State-owned airports or
5 property thereon.

6 (5) Proceeds from rents, fees and other money derived
7 from any source under section 5903 (relating to authority of
8 department).

9 (6) All interest earned on money in the account.

10 (c.1) Use of account.--The money from time to time in the
11 account, after providing for the cost of administration and
12 collection of the excise tax upon the use of fuel in aircraft or
13 aircraft engines, shall be appropriated by the General Assembly
14 to the department or political subdivisions for use in the
15 following manner:

16 (1) The portion of the account derived from the tax on
17 fuel sold for use in propeller-driven piston aircraft or
18 aircraft engines as provided for in 75 Pa.C.S. Ch. 90
19 (relating to liquid fuels and fuels tax) and all the money
20 collected under section 6121 (relating to tax on aviation
21 fuels) shall be reserved solely for local real estate tax
22 reimbursements for public airports, for costs of
23 administering the program as provided for in section 6122(e)
24 (relating to allocation of funds) and for payment of
25 obligations incurred for such purposes. This portion of the
26 account shall be maintained by the State Treasurer and shall
27 be administered by the department. On or before February 1 of
28 each year, the State Treasurer shall notify the department of
29 the money collected and deposited in that portion of the
30 account reserved solely for local real estate tax

1 reimbursements for the preceding calendar year. The
2 notification shall include any money gained through the State
3 Treasurer's investment of revenue.

4 (2) The portion of the account derived from the tax on
5 fuel sold for use in turbine-propelled jet, turbojet and jet-
6 driven aircraft and aircraft engines as provided for in 75
7 Pa.C.S. Ch. 90 and all the money collected under section 6131
8 (relating to tax on jet fuels) shall be appropriated to fund
9 the continuation of existing aviation programs, including
10 aviation development grants, a runway marking program for
11 public airports, administration, operation and maintenance of
12 all State-owned airports, other than Harrisburg International
13 Airport, payment of debt service for improvements on State-
14 owned airports, including improvements at Harrisburg
15 International Airport authorized prior to July 1, 1984,
16 matching fund programs for public airports as determined by
17 the Statewide regional apportionment formula and the
18 operations of the Bureau of Aviation. The sum allotted for
19 bureau operations shall not exceed the amount of aviation
20 development grants.

21 (3) The balance of the account may be used for the
22 purchase, construction, reconstruction, operation and
23 maintenance of State-owned airports, including Harrisburg
24 International Airport, the operation, maintenance and other
25 costs of aircraft owned or leased by the Commonwealth and any
26 other purpose reasonably related to air navigation. The money
27 in the account shall not be diverted by transfer or otherwise
28 to any other purpose.

29 Section 2. Repeals are as follows:

30 (1) The General Assembly declares that the repeal under

1 paragraph (2) is necessary to effectuate the addition of 74
2 Pa.C.S. § 5103(b.1) and (c.1).

3 (2) Section 530 of the act of April 9, 1929 (P.L.177,
4 No.175), known as The Administrative Code of 1929, is
5 repealed. The following apply:

6 (i) Except as otherwise provided in 74 Pa.C.S. §
7 5103(b.1) and (c.1), all activities initiated under
8 section 530 of The Administrative Code of 1929 shall
9 continue and remain in full force and effect and may be
10 completed under 74 Pa.C.S. § 5103(b.1) and (c.1). Orders,
11 regulations, rules and decisions which were made under
12 section 530 of The Administrative Code of 1929 and which
13 are in effect on the effective date of this section shall
14 remain in full force and effect until revoked, vacated or
15 modified under 74 Pa.C.S. § 5103(b.1) and (c.1).
16 Contracts, obligations and collective bargaining
17 agreements entered into under section 530 of The
18 Administrative Code of 1929 are not affected nor impaired
19 by the repeal of section 530 of The Administrative Code
20 of 1929.

21 (ii) Any difference in language between 74 Pa.C.S. §
22 5103(b.1) and (c.1) and section 530 of The Administrative
23 Code of 1929 is intended only to conform to the style of
24 the Pennsylvania Consolidated Statutes and is not
25 intended to change or affect the legislative intent,
26 judicial construction or administration and
27 implementation of section 530 of The Administrative Code
28 of 1929.

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