

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2131 Session of 2018

INTRODUCED BY QUIGLEY, CHARLTON, JAMES, MENTZER, B. MILLER,
WARD, WHEELAND AND ZIMMERMAN, MARCH 9, 2018

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 9, 2018

AN ACT

1 Amending the act of June 1, 1945 (P.L.1242, No.428), entitled
2 "An act relating to roads, streets, highways and bridges;
3 amending, revising, consolidating and changing the laws
4 administered by the Secretary of Highways and by the
5 Department of Highways relating thereto," in construction,
6 improvement, maintenance and repair of State highways,
7 providing for native vegetation along highways.

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

10 Section 1. The act of June 1, 1945 (P.L.1242, No.428), known
11 as the State Highway Law, is amended by adding a section to
12 read:

13 Section 410.1. Native Vegetation Along Highways.--(a) When
14 planting vegetation along State highways, the department shall
15 plant vegetation identified by the Department of Conservation
16 and Natural Resources as being native to this Commonwealth and
17 that will thrive in the plant hardiness zone in which the
18 vegetation is being planted.

19 (b) Upon application by the department to the Department of
20 Conservation and Natural Resources, the Department of

1 Conservation and Natural Resources may authorize the department
2 to plant nonnative vegetation where the use of native vegetation
3 is not feasible, provided that the nonnative vegetation is
4 deemed not invasive or detrimental to the environment.

5 (c) In consultation with the department, the Department of
6 Conservation and Natural Resources shall identify, for each
7 plant hardiness zone, a list of the particular species of
8 vegetation that are native to this Commonwealth and that thrive
9 in each plant hardiness zone in which the vegetation is being
10 planted.

11 (d) As used in this section, the term "plant hardiness zone"
12 shall mean a zone identified as existing in this Commonwealth
13 pursuant to the most recent edition of the Plant Hardiness Zone
14 Map published by the United States Department of Agriculture.

15 Section 2. This act shall take effect immediately.