

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 320 Session of
1989

INTRODUCED BY J. H. CLARK, JACKSON, MARKOSEK, DISTLER, SAURMAN,
GIGLIOTTI, PERZEL, FOX, GODSHALL, PHILLIPS, CAWLEY, McVERRY,
RYBAK, BUNT, BISHOP, HECKLER, FARGO, DORR, KASUNIC,
LASHINGER, TRELLO, STEIGHNER, COLAFELLA, MELIO, SERAFINI,
ROBINSON, MICOZZIE, HERSHEY, HAGARTY, DOMBROWSKI, CORNELL,
WOZNIAK, BILLOW, COHEN, STAIRS, OLASZ, RAYMOND AND
B. D. CLARK, FEBRUARY 8, 1989

REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 8, 1989

AN ACT

1 Amending the act of July 28, 1966 (3rd Sp.Sess., P.L.91, No.4),
2 entitled, as amended, "An act restricting the establishment
3 and maintenance of junkyards and automotive dismantlers and
4 recyclers along highways; providing for the screening of
5 outdoor junkyards and automotive dismantlers and recyclers;
6 prescribing a license fee; conferring powers and imposing
7 duties on the Secretary of Transportation; providing
8 authority to take property by eminent domain in certain
9 cases; making an appropriation; and providing penalties,"
10 further providing for the screening of certain junkyards,
11 automotive dismantlers and recyclers.

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

14 Section 1. Sections 4 and 6 of the act of July 28, 1966 (3rd
15 Sp.Sess., P.L.91, No.4), referred to as the Junkyard and
16 Automotive Recycler Screening Law, amended July 13, 1977
17 (P.L.77, No.28), are amended to read:

18 Section 4. No license shall be granted for the
19 establishment, maintenance, use or operation of a junkyard or
20 automotive dismantler and recycler within one thousand feet of

1 the nearest edge of the right-of-way of any highway except the
2 following:

3 (a) Junkyards and automotive dismantlers and recyclers which
4 are lawfully in existence prior to January 1, 1967.

5 (b) Junkyards and automotive dismantlers and recyclers
6 which, because of screening by natural objects, plantings,
7 fences, or other means found appropriate by the secretary, are
8 not visible from the main-traveled way of the highway.

9 (c) Junkyards and automotive dismantlers and recyclers
10 located within areas zoned for industrial use under authority of
11 law and which are properly screened as provided in section 6.

12 (d) Junkyards and automotive dismantlers and recyclers
13 located within unzoned areas which the secretary shall find are
14 used for industrial activities.

15 Section 6. Any junkyard or automotive dismantler and
16 recycler lawfully in existence on January 1, 1967 which is
17 within one thousand feet of the nearest edge of the right-of-way
18 of a highway, and which is not in any of the classes specified
19 in subsections (b)[, (c)] and (d) of section 4, shall be
20 screened, if physically and economically feasible, by the
21 secretary at locations on the highway right-of-way or in areas
22 acquired for such purposes outside the right-of-way, so as not
23 to be visible from the main-traveled way of the highway. No junk
24 or any other motor vehicle incapable of meeting State inspection
25 requirements shall be placed between the highway and the
26 screening.

27 Section 2. This act shall take effect in 60 days.