

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1050 Session of
2013

INTRODUCED BY SMITH, TARTAGLIONE, FONTANA AND COSTA,
JUNE 27, 2013

REFERRED TO TRANSPORTATION, JUNE 27, 2013

AN ACT

1 Providing for powers of local authorities to establish maximum
2 speed limits on roadways and State-designated highways within
3 their physical boundaries.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Local Speed
8 Limit Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Department." The Department of Transportation of the
14 Commonwealth.

15 "Freeway." A limited access highway to which the only means
16 of ingress and egress is by interchange ramps.

17 "Interstate highway." A freeway on the Dwight D. Eisenhower
18 System of Interstate and Defense Highways.

1 "Limited access highway." A highway in respect to which
2 owners or occupants of abutting lands and other persons have no
3 legal right of access except at points and in the manner
4 determined by the authority having jurisdiction over the
5 highway.

6 "Local authorities." County, municipal and other local
7 boards or bodies having authority to enact laws relating to
8 traffic. The term also includes airport authorities, except
9 where those authorities are located within counties of the first
10 class or counties of the second class.

11 "Roadway." That portion of a highway improved, designed or
12 ordinarily used for vehicular travel, exclusive of the sidewalk,
13 berm or shoulder even though the sidewalk, berm or shoulder is
14 used by pedalcycles. If a highway includes two or more separate
15 roadways the term shall refer to each roadway separately but not
16 to all such roadways collectively.

17 "State-designated highway." A highway or bridge on the
18 system of highways and bridges over which the department has
19 assumed or has been legislatively given jurisdiction.

20 Section 3. Power of local authorities.

21 (a) Action by local authorities.--Action taken by local
22 authorities under this act shall be:

- 23 (1) by ordinance of the local governing body; or
24 (2) by a commission or public official authorized by the
25 local governing body to act on specified matters.

26 (b) Powers.--

- 27 (1) Except as provided under paragraph (2),
28 notwithstanding any other provision of law, a local authority
29 may take action to alter or set maximum speed limits on
30 roadways or State-designated highways within their physical

boundaries without prior approval or authority from the department.

(2) A local authority may not take action to alter or set maximum speed limits in excess of 75 Pa.C.S. § 3362(a) (relating to maximum speed limits).

(c) Engineering and traffic investigation.--Action by local authorities under this act shall not require an engineering and traffic investigation to establish a speed limit under this act.

Section 4. Notification and posting of speed limit.

(a) Notification.--Upon adoption of an ordinance or rule changing the maximum speed limit, the local authority shall promptly notify the department of the change.

(b) Posting of speed limit.--After receiving official notification from the local authority, the department shall post the maximum speed limit as adopted by the local authority on the respective roadway or State-designated highway within 30 days.

Section 5. Exception.

Local authorities may not alter or set maximum speed limits on freeways or interstate highways within their physical boundaries.

Section 20. Effective date.

This act shall take effect immediately.