
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 564 Session of
2017

INTRODUCED BY YAW, MCGARRIGLE, YUDICHAK, BREWSTER, BARTOLOTTA,
VOGEL, HAYWOOD, RAFFERTY AND BROWNE, MARCH 28, 2017

REFERRED TO TRANSPORTATION, MARCH 28, 2017

AN ACT

1 Providing for installation of protective fencing on certain
2 State-owned bridges and for powers and duties of the
3 Department of Transportation.

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 Bridge
8 Fencing Safety 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 "Bridge." A State-owned, new or existing bridge under the
14 jurisdiction of the department.

15 "Department." The Department of Transportation of the
16 Commonwealth.

17 "Limited access highway." As defined in 75 Pa.C.S. § 102
18 (relating to definitions).

1 Section 3. Bridges over interstate and other limited access
2 highways.

3 (a) Bridges with sidewalks.--When a bridge is built with a
4 sidewalk or a concrete barrier is installed, modified or
5 rehabilitated on a bridge with a sidewalk over an interstate or
6 other limited access highway, the department shall install
7 protective fencing.

8 (b) Bridges without sidewalks.--When a bridge is built
9 without a sidewalk or a concrete barrier is installed, modified
10 or rehabilitated on a bridge without a sidewalk over an
11 interstate or other limited access highway, the department, as
12 part of its preliminary design process, shall consider
13 installation of protective fencing at all of the following
14 locations:

15 (1) On an overpass near a school, playground or other
16 site where it would be expected that the overpass would be
17 frequently used by children.

18 (2) On an overpass in an urban area used exclusively by
19 pedestrians and not easily kept under surveillance by police.

20 (3) On an overpass where experience relating to nearby
21 structures indicates a need for protective fencing.

22 (4) On an overpass where there have been incidents of
23 objects being dropped or thrown from the overpass and where
24 increased surveillance, warning signs or apprehension of
25 offenders has not effectively alleviated the problem.

26 (c) Exceptions.--The provisions of subsection (a) shall not
27 apply if:

28 (1) a protective barrier is required on the bridge; or

29 (2) the fencing would obstruct scenic views of the area,
30 and the local government for the municipality in which the

1 bridge is located:

2 (i) decides that fencing must not be placed on the
3 bridge;

4 (ii) provides a statement to the department that
5 there have been no incidents of objects being dropped
6 from the bridge onto traffic; and

7 (iii) agrees that local law enforcement will monitor
8 the bridge.

9 Section 4. Bridges over nonlimited access highways.

10 The department, as part of its preliminary design process,
11 shall consider installation of protective fencing at all of the
12 following locations on bridges over nonlimited access highways:

13 (1) On an overpass near a school, playground or other
14 site where it would be expected that the overpass would be
15 frequently used by children.

16 (2) On an overpass in an urban area used exclusively by
17 pedestrians and not easily kept under surveillance by police.

18 (3) On an overpass with a sidewalk, where experience
19 relating to nearby structures indicates a need for protective
20 fencing.

21 (4) On an overpass where there have been incidents of
22 objects being dropped or thrown from the overpass and where
23 increased surveillance, warning signs or apprehension of
24 offenders has not effectively alleviated the problem.

25 Section 5. Effective date.

26 This act shall take effect immediately.