

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 797

Session of
1985

INTRODUCED BY GAMBLE, COWELL, POTT, DUFFY, IRVIS, McVERRY,
PISTELLA, TRELLO, VAN HORNE, PETRONE, DeLUCA, MICHLOVIC,
DAWIDA, OLASZ, SEVENTY AND ITKIN, APRIL 9, 1985

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 9, 1985

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for costs of certain traffic-
3 control devices.

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

6 Section 1. Section 6122 of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 6122. Authority to erect traffic-control devices.

9 (a) General rule.--The department on State-designated
10 highways and local authorities on any highway within their
11 boundaries may erect official traffic-control devices, which
12 shall be installed and maintained in conformance with the manual
13 and regulations published by the department upon all highways as
14 required to carry out the provisions of this title or to
15 regulate, restrict, direct, warn, prohibit or guide traffic.

16 (1) Local authorities shall obtain approval of the
17 department prior to erecting an official traffic-control
18 device on a State-designated highway except where department

1 regulations provide otherwise.

2 (2) Local authorities shall obtain approval of the
3 department prior to erecting any traffic signal except in a
4 municipality with a traffic engineer qualified in accordance
5 with department regulations.

6 (b) Standards for department approval.--The department shall
7 promulgate rules and regulations setting forth minimum standards
8 and factors to be considered in determining whether approval
9 shall be given by the department for the installation and
10 maintenance of official traffic-control devices. The factors
11 shall include, but not be limited to, the volume of traffic and
12 the number of accidents that occurred in each of the three
13 preceding years.

14 (c) Agreements to waive department approval.--The department
15 may enter into agreements with local authorities transferring to
16 them the authority to install official traffic-control devices
17 without specific State approval provided they conduct traffic
18 and engineering investigations which conform with the rules and
19 regulations promulgated by the department.

20 (d) Signals on municipal boundaries.--Whenever the need
21 arises for the installation of a traffic-control signal on or
22 near the boundary of two political subdivisions adjoining each
23 other so as to be beneficial to both, either may petition the
24 department for authority to install the signal. If the political
25 subdivisions cannot amicably agree upon an allocation of the
26 costs of installation and maintenance of the signal, either may
27 petition the court of common pleas of the county in which the
28 traffic-control signal is to be installed within 90 days after
29 receiving the approval of the department and the court shall
30 determine the proper allocation of the expenses to be incurred.

1 The political subdivision that originated the request to the
2 department shall install the traffic-control signal within 90
3 days of the date of the court order or of an amicable agreement
4 between the political subdivisions.

5 (e) Costs.--The cost of traffic-control signals located on
6 State-designated highways shall be borne by the Commonwealth. At
7 intersections of State-designated highways and local roads, the
8 cost of traffic-control signals shall be borne by the
9 Commonwealth and the local authorities having jurisdiction over
10 the local road, each paying one-half of the cost, but local
11 authorities may, at their option, pay more than their half of
12 the cost. As used in this subsection the term "cost of traffic-
13 control signal" means the purchase price of a traffic-control
14 signal, the cost of erecting it and the cost of maintaining it.

15 Section 2. This act shall take effect immediately.