

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1841

Session of
1987

INTRODUCED BY McCLATCHY, OCTOBER 14, 1987

REFERRED TO COMMITTEE ON TRANSPORTATION, OCTOBER 14, 1987

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
21 the nearest edge of the right-of-way of any highway except the
22 following:

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

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

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

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

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

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