

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 165 Session of
1993

INTRODUCED BY WOZNIAK, PESCI, PETRARCA, TRELLO, BATTISTO AND
E. Z. TAYLOR, FEBRUARY 3, 1993

REFERRED TO COMMITTEE ON RULES, FEBRUARY 3, 1993

AN ACT

1 Amending the act of June 1, 1945 (P.L.1242, No.428), entitled
2 "An act relating to roads, streets, highways and bridges;
3 amending, revising, consolidating and changing the laws
4 administered by the Secretary of Highways and by the
5 Department of Highways relating thereto," providing for the
6 designation of heritage routes.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of June 1, 1945 (P.L.1242, No.428), known
10 as the State Highway Law, is amended by adding an article to
11 read:

12 ARTICLE IV-A.

13 HERITAGE ROUTES

14 Section 401-A. Legislative Findings and Intent.--(a) The
15 General Assembly finds that certain portions of State highways
16 and the rural State highway system are so uniquely endowed by
17 natural aesthetic, ecological, environmental and cultural
18 amenities immediately adjacent to the roadside that their use by
19 a large percentage of the motoring public, particularly during

1 the recreational season, is for the experience of traveling the
2 highway rather than as a route to a destination. The improvement
3 philosophy for these highways is to maintain the essential
4 elements of the highways and the areas immediately surrounding
5 the highways that create their unique character.

6 (b) It is the intent of the General Assembly, in providing
7 for the designation of certain portions of State highways and
8 the rural State highway system as heritage routes, to establish
9 the Commonwealth's responsibility for the protection and
10 enhancement of the Commonwealth's scenic, recreational and
11 historic resources along its highways by identifying those
12 portions of State highways and the rural State highway system
13 which, together with their adjacent corridors, require special
14 conservation treatment. It is further the intent of the General
15 Assembly in designating these heritage routes to assign
16 responsibility for the development of the routes and for the
17 establishment and application of specific planning and design
18 criteria and procedures appropriate to these routes. The General
19 Assembly further intends to provide criteria for the location
20 and length of routes and adjacent areas requiring continuing and
21 careful coordination of planning, design, construction,
22 maintenance, land use and development, by State and local
23 agencies, as appropriate, to encourage adjacent land use
24 consistent with the intent of the designation.

25 Section 402-A. Definitions.--When used in this article, the
26 following words and phrases shall have the following meanings:

27 "Commission" shall mean the State Transportation Commission.

28 "Heritage route" shall mean a State highway or a portion of a
29 State highway or a portion of the rural State highway system
30 that is designated in the manner provided in this act as a

1 scenic, recreational or historic route that is representative of
2 this Commonwealth's natural and cultural heritage.

3 "Historic" shall mean buildings, structures, interpreted
4 sites, objects or historic districts that are significant to the
5 history, archaeology, architecture, engineering or culture of
6 this Commonwealth.

7 "Recreational" shall mean facilities normally associated with
8 leisure-time activities, including, but not limited to, parks,
9 public access sites, wildlife refuges, forest areas, marinas,
10 swimming areas, hiking trails and sightseeing areas.

11 "Scenic" shall mean an area of outstanding natural beauty
12 whose features include, but are not limited to, significant
13 natural features such as vegetation, land form, water and open
14 areas with exceptional vistas and views, that singly or in
15 combination make that area unique and distinct in character.

16 Section 403-A. Establishment of Criteria.--(a) Not more
17 than sixty (60) days after the effective date of this act, the
18 commission shall submit recommendations to the department
19 regarding uniform criteria and procedures for the identification
20 of heritage routes. These criteria shall include, but not be
21 limited to, route selection, maintenance, resurfacing,
22 restoration and rehabilitation of existing roads and the design
23 of new roads. Routes shall not be designated as heritage routes
24 until the department notifies the General Assembly of the
25 approved criteria and procedures.

26 (b) In establishing heritage routes, the department shall
27 take into consideration the concept of the complete highway,
28 which is a highway incorporating not only safety, utility and
29 economy but also beauty. The department shall also take into
30 consideration that in a complete highway, pleasing appearance is

a consideration in the planning and design process. Designation of a heritage route shall also require that municipalities take such action as may be necessary to protect the integrity of the designated route as stipulated in the criteria.

Section 404-A. Designation of Commonwealth Heritage Route System.--Upon approval of the criteria and procedures by the department and notification of the General Assembly, the department shall identify those State highways or portions of State highways and portions of the rural State highway system that satisfy the criteria and shall publish a proposed system of heritage routes. The department shall solicit public comment for thirty (30) days. Not more than sixty (60) days after the close of the comment period, the department shall designate a system of routes as the Commonwealth heritage route system.

Section 405-A. Fitness for Travel.--Planning, design, reconstruction and maintenance of all designated heritage routes shall be governed by criteria to ensure that these routes are reasonably safe and fit for travel, while preserving the unique characteristics that qualify them as heritage routes. Outdoor advertising shall be controlled along heritage routes in accordance with criteria approved by the department.

Section 406-A. Additions, Deletions or Changes.--After thirty-day comment period and an opportunity for a public hearing, the department may make additions, deletions or changes in the Commonwealth heritage route system for one or more of the following reasons:

(1) By ordinance or resolution, the governing body of a municipality has requested that a particular named route lying within its jurisdictional boundaries be added to or deleted from the Commonwealth heritage route system.

1 (2) The department has proposed to add or delete any named
2 route or portion of a route from the Commonwealth heritage route
3 system.

4 (3) The department has proposed any action which would
5 result in a change in the scenic, historical or recreational
6 character of any route on the Commonwealth heritage route system
7 that is determined to be substantial by the department.

8 Section 407-A. Reports.--By the thirty-first day of December
9 of each year, the department shall report to the Governor and
10 the General Assembly the following information regarding this
11 act:

12 (1) Routes designated during the previous year.

13 (2) Deletions or other changes made in the Commonwealth
14 heritage route system during the previous year.

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