

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1847 Session of
1993

INTRODUCED BY CHADWICK, LYNCH, KASUNIC, BUNT, CAWLEY,
E. Z. TAYLOR, TIGUE AND SERAFINI, JUNE 22, 1993

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 22, 1993

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for the
3 liability of the Commonwealth for damages caused by antiskid
4 materials on State highways.

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

7 Section 1. Section 8522(b)(4) of Title 42 of the
8 Pennsylvania Consolidated Statutes is amended to read:

9 § 8522. Exceptions to sovereign immunity.

10 * * *

11 (b) Acts which may impose liability.--The following acts by
12 a Commonwealth party may result in the imposition of liability
13 on the Commonwealth and the defense of sovereign immunity shall
14 not be raised to claims for damages caused by:

15 * * *

16 (4) Commonwealth real estate, highways and sidewalks.--

17 (i) A dangerous condition of Commonwealth agency
18 real estate and sidewalks, including Commonwealth-owned

1 real property, leaseholds in the possession of a
2 Commonwealth agency and Commonwealth-owned real property
3 leased by a Commonwealth agency to private persons, and
4 highways under the jurisdiction of a Commonwealth agency,
5 except conditions described in paragraph (5).

6 (ii) The Commonwealth shall be liable for all
7 damages which arise from the use of antiskid materials on
8 a State highway, including damage to windshields, whether
9 or not the damage is caused by a vehicle owned or
10 operated by the Commonwealth.

11 * * *

12 Section 2. This act shall take effect immediately.