
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1683 Session of
2001

INTRODUCED BY FLICK, MAHER, HARPER, YOUNGBLOOD, BARRAR, BELARDI,
BELFANTI, BENNINGHOFF, CAPPELLI, L. I. COHEN, CORRIGAN, COY,
CREIGHTON, CRUZ, CURRY, FEESE, FRANKEL, FREEMAN, GEORGE,
HENNESSEY, HERMAN, HERSHEY, KELLER, KIRKLAND, LEWIS,
MANDERINO, McCALL, McILHATTAN, READSHAW, ROSS, SCHRODER,
B. SMITH, SOLOBAY, STEELMAN, SURRA, E. Z. TAYLOR, TIGUE,
WALKO, C. WILLIAMS, WILT AND WOJNAROSKI, JUNE 4, 2001

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 4, 2001

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for maximum speed limits and for
3 the authority to erect traffic-control devices.

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

6 Section 1. Sections 3362(a) and (b) and 6122(a) of Title 75
7 of the Pennsylvania Consolidated Statutes are amended to read:

8 § 3362. Maximum speed limits.

9 (a) General rule.--Except when a special hazard exists that
10 requires lower speed for compliance with section 3361 (relating
11 to driving vehicle at safe speed), the limits specified in this
12 section or established under this subchapter shall be maximum
13 lawful speeds and no person shall drive a vehicle at a speed in
14 excess of the following maximum limits:

15 (1) 35 miles per hour in any urban district.

16 (1.1) 65 miles per hour for all vehicles:

1 (i) on interstate highways outside of urbanized
2 areas of population of 50,000 or more; and

3 (ii) on other freeways where the department has
4 posted a 65-miles-per-hour speed limit in accordance with
5 the provisions of 23 U.S.C. (relating to highways).

6 (1.2) 25 miles per hour in a residence district, if the
7 highway:

8 (i) is not a numbered traffic route; and

9 (ii) is functionally classified by the department as
10 a local highway.

11 (1.3) 25 miles per hour on a portion of a highway
12 determined by the local authority to meet any of the
13 following conditions:

14 (i) the available sight distance on side roads or
15 driveways is less than the minimum stopping sight values
16 specified in department regulations for through vehicles
17 traveling more than 25 miles per hour;

18 (ii) an accident analysis conducted by the local
19 authority based on reports filed with and by a police
20 authority indicates that a majority of accidents are
21 related to pedestrians, driveways, pedalcycles, parked
22 vehicles or excessive speed, and the accident rate
23 exceeds the high-accident rate compiled by the
24 department; or

25 (iii) pedestrian activity and parallel parking
26 frequently occur along the highway, and the highway is
27 used primarily to provide access to residential
28 dwelling.

29 This paragraph does not apply to freeways or highways
30 designated as U.S. traffic routes.

1 (2) 55 miles per hour in other locations.

2 (3) Any other maximum speed limit established under this
3 subchapter.

4 (b) Posting of speed limit.--

5 (1) No maximum speed limit established under subsection
6 (a)(1), (1.2), (1.3) or (3) shall be effective unless posted
7 on fixed or variable official traffic-control devices erected
8 in accordance with regulations adopted by the department
9 which regulations shall require posting at the beginning and
10 end of each speed zone and at intervals not greater than one-
11 half mile.

12 (2) No maximum speed limit established under subsection
13 (a)(1.1) shall be effective unless posted on fixed or
14 variable official traffic-control devices erected after each
15 interchange on the portion of highway on which the speed
16 limit is in effect and wherever else the department shall
17 determine.

18 * * *

19 § 6122. Authority to erect traffic-control devices.

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

27 (1) Local authorities shall obtain approval of the
28 department prior to erecting an official traffic-control
29 device on a State-designated highway except where department
30 regulations provide otherwise.

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

5 (3) Notwithstanding any other provision of this title,
6 where a need exists for the installation of a traffic-control
7 signal on a State-designated highway on or near the boundary
8 of two adjoining municipalities, one of the municipalities
9 may seek approval of the department for installation of the
10 traffic-control signal if the municipality making the request
11 agrees to pay the costs of installation, maintenance and
12 operation of the traffic-control signal. The department shall
13 not require the consent or agreement of the adjoining
14 municipality before approving the installation of a traffic-
15 control signal under this paragraph.

16 * * *

17 Section 2. This act shall take effect in 90 days.