

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2085 Session of 2021

INTRODUCED BY LAWRENCE, BERNSTINE, R. BROWN, DIAMOND, MUSTELLO, OTTEN, SCHMITT, SCHROEDER AND STAMBAUGH, NOVEMBER 16, 2021

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, DECEMBER 14, 2021

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
6 commemorative designations; and making editorial changes.

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

9 Section 1. The title and section 102 of the act of June 1,
10 1945 (P.L.1242, No.428), known as the State Highway Law, are
11 amended to read:

AN ACT

13 Relating to roads, streets, highways and bridges; amending,
14 revising, consolidating and changing the laws administered by
15 the Secretary of [Highways] Transportation and by the
16 Department of [Highways] Transportation relating thereto.

17 Section 102. Definitions.--When used in this act, the
18 following words and phrases shall have the following meanings:

19 (1) "State highway" shall mean and include all roads and

1 highways taken over by the Commonwealth as State highways under
2 the provisions of any act of Assembly. Unless clearly so
3 intended, the term shall not include any street in any city,
4 borough or incorporated town, even though the same may have been
5 taken over as a State highway.

6 (2) "Rural State highway system" shall mean and include all
7 roads and highways taken over by the Commonwealth as State
8 highways under the provisions of the act, approved the twenty-
9 second day of June, one thousand nine hundred thirty-one
10 (Pamphlet Laws, five hundred ninety-four), act number two
11 hundred three, entitled "An act establishing certain township
12 roads as State highways; authorizing their construction,
13 maintenance, and improvement under certain conditions and
14 restrictions; limiting the obligation of the Commonwealth in the
15 construction of certain structures located on such highways;
16 conferring certain powers upon the Department of [Highways]
17 Transportation and local authorities, persons, associations and
18 corporations for sharing the cost of the maintenance and
19 construction of such highways; and making an appropriation to
20 carry out the provisions of said act," and its supplements and
21 amendments, and all other roads and highways specifically
22 designated as rural State highways.

23 (3) "Department" shall mean the Department of [Highways]
24 Transportation of the Commonwealth.

25 (4) "Secretary" shall mean the Secretary of [Highways]
26 Transportation of the Commonwealth.

27 (5) "COMMEMORATIVE DESIGNATION" SHALL MEAN THE NAMING OF A <--
28 BRIDGE, HIGHWAY, INTERCHANGE OR PORTION OF THE TURNPIKE SYSTEM
29 AS A SECONDARY DESIGNATION AND DOES NOT REPLACE OR SUPERSEDE THE
30 PRIMARY DESIGNATION BY THE AUTHORITY WITH JURISDICTION OVER THE

1 BRIDGE, HIGHWAY, INTERCHANGE OR PORTION OF THE TURNPIKE SYSTEM,
2 BY NAME OR NUMBER.

3 Section 2. The act is amended by adding a section to read:

4 Section 204.1. Commemorative Designations.--(a) (1) At the
5 secretary's discretion and subject to the limitations in
6 subsection (d), the secretary may, upon receipt of a completed
7 application under subsection (b) and the fee required under
8 subsection (c), approve a commemorative designation of a State-
9 owned bridge, highway~~7~~ OR interchange ~~or roundabout~~ honoring an <--
10 individual or group and direct the department to erect and
11 maintain appropriate signs for the commemorative designation.

12 (2) At the Pennsylvania Turnpike Commission's discretion and
13 subject to the limitations in subsection (d), the Pennsylvania
14 Turnpike Commission may, upon receipt of a completed application
15 under subsection (b) and the fee required under subsection (c),
16 approve a commemorative designation of a portion of the turnpike
17 system or a bridge or interchange under the authority of the
18 Pennsylvania Turnpike Commission honoring an individual or group
19 and erect and maintain appropriate signs for the commemorative
20 designation.

21 (b) An application for a commemorative designation under
22 subsection (a) may be submitted by an individual, organization
23 or a political subdivision and shall be submitted on a form and
24 in a manner as required by the department or the Pennsylvania
25 Turnpike Commission. The application shall include all of the
26 following:

27 (1) A petition containing a minimum of one hundred (100)
28 signatures supporting the commemorative designation from
29 residents of the county OR COUNTIES in which the State-owned <--
30 bridge, State highway~~7~~ OR interchange, ~~roundabout~~ or portion of <--

1 the turnpike system is located.

2 (2) A description of the State-owned bridge, State highway, <--
3 OR interchange, roundabout or portion of the turnpike system <--
4 being requested for the commemorative designation.

5 (3) The name of the individual or group that the
6 commemorative designation would honor and a biography of the
7 individual or a description of the group.

8 (4) Signed letters of support for the commemorative
9 designation from both the EACH member of the Senate and the <--
10 House of Representatives who represent each legislative district
11 in which the State-owned bridge, State highway, OR interchange, <--
12 roundabout or portion of the turnpike system is located.

13 (5) A RESOLUTION SUPPORTING THE COMMEMORATIVE DESIGNATION <--
14 APPROVED BY THE GOVERNING BODY OF EACH CITY, BOROUGH,
15 INCORPORATED TOWN OR TOWNSHIP IN WHICH THE STATE-OWNED BRIDGE,
16 HIGHWAY, INTERCHANGE, ROUNDABOUT OR PORTION OF THE TURNPIKE
17 SYSTEM IS LOCATED.

18 ~~(5)~~ (6) Other information or supporting documentation as <--
19 required by the department or the Pennsylvania Turnpike
20 Commission.

21 (c) (1) Except as provided in paragraph (2), upon the
22 approval of an application for a commemorative designation under
23 subsection (a), the department or the Pennsylvania Turnpike
24 Commission shall require the applicant, prior to the
25 installation of signs for the commemorative designation, to
26 submit a one-time fee to the department or the Pennsylvania
27 Turnpike Commission to cover costs associated with the erection
28 and maintenance of the signs. The fee shall not exceed an amount
29 equal to eight hundred fifty dollars (\$850.00) per sign erected <--
30 and maintained DETERMINED by the department or the Pennsylvania <--

1 Turnpike Commission for the commemorative designation.

2 (2) No fee shall be required by the department or the
3 Pennsylvania Turnpike Commission for a commemorative designation
4 approved under subsection (a) for any of the following:

5 ~~(i) A member of the military who was killed in action during~~ <--
6 ~~a period of war or armed conflict.~~

7 (I) A MEMBER OF THE ARMED FORCES OF THE UNITED STATES, <--
8 INCLUDING A RESERVE COMPONENT OR NATIONAL GUARD, KILLED IN THE
9 LINE OF DUTY.

10 (ii) A member of law enforcement killed in the line of duty.

11 (iii) An emergency responder killed in the line of duty.

12 (iv) A commemorative designation honoring a group consisting
13 of veterans, law enforcement or emergency responders or honoring
14 veterans, law enforcement or emergency responders generally.

15 ~~(v) The Governor, a member of the Pennsylvania Congressional~~ <--
16 ~~Delegation or a member of the General Assembly who died while in~~
17 ~~office.~~

18 (d) The secretary or the Pennsylvania Turnpike Commission
19 shall not approve a commemorative designation under subsection
20 (a) for any of the following:

21 (1) An individual who is not deceased.

22 (2) An individual who did not reside in this Commonwealth
23 during their lifetime.

24 (3) A private business.

25 (4) A not-for-profit organization, except for a not-for-
26 profit organization whose ~~members consist of~~ MEMBERSHIP CONSISTS <--
27 OF A MAJORITY OF veterans, current or former members of law
28 enforcement or current or former emergency responders.

29 (5) A commemorative designation for a State-owned bridge,
30 State highway, OR interchange, roundabout or portion of the <--

1 turnpike system previously designated under this section or by a
2 separate act of the General Assembly.

3 (e) Not later than January 31, 2024, and annually each year
4 thereafter, the department and the Pennsylvania Turnpike
5 Commission shall issue a report to the chairman and minority
6 chairman of the Transportation Committee of the Senate and the
7 chairman and minority chairman of the Transportation Committee
8 of the House of Representatives containing all of the following
9 for the previous calendar year:

10 (1) A list of all commemorative designations approved under
11 subsection (a).

12 (2) A biography or description of each individual or group
13 honored by a commemorative designation.

14 (3) Total amounts collected from the fee required under
15 subsection (c).

16 (4) Any other information at the discretion of the
17 department or the Pennsylvania Turnpike Commission.

18 (f) Notwithstanding any other provision of law,
19 commemorative designations for a State-owned bridge, State <--
20 highway, OR interchange, roundabout or portion of the turnpike <--
21 system shall only be made by the department or the Pennsylvania
22 Turnpike Commission after the effective date of this section
23 according to the provisions of this section.

24 SECTION 3. THE PROVISIONS OF THIS ACT SHALL NOT AFFECT ANY <--
25 POWER OF THE DEPARTMENT OR ANY COUNTY OR MUNICIPALITY TO
26 DESIGNATE, BY LETTER, OR NAME OR NUMBER ANY HIGHWAY OR ROADWAY
27 UNDER THE DEPARTMENT'S OR COUNTY'S OR MUNICIPALITY'S RESPECTIVE
28 JURISDICTIONS, INCLUDING ANY PART OR PARTS THEREOF, OR ANY
29 COMBINATIONS OR PARTS OF HIGHWAYS EXISTING AS OF THE EFFECTIVE
30 DATE OF THIS ACT.

1 Section 3 4. This act shall take effect January 1, 2023. <--