

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. House Bill 523

PRINTER NO. 1822

AMOUNT

No Fiscal Impact

FUND

Motor License Fund
Local Government Funds

DATE INTRODUCED

February 24, 2021

PRIME SPONSOR

Representative Day

DESCRIPTION

House Bill 523 amends Act 169 of 1836, referred to as the General Road Law and commonly called the "Private Road Act" clarifying maintenance responsibilities of property owners with respect to private roads and to provide for the right to bring a civil action.

Section 15 (relating to repair of private roads) is amended by adding a subsection to provide that when more than one person shares a common benefit from a private road, each person shall contribute in proportion to the amount of the road utilized to the cost of maintaining the road at the current level of improvement.

The new subsection shall not apply to private roads as follows:

- Private roads where there is a written agreement;
- Private roads established by the Commonwealth or by a municipality entitled to the exception under 26 Pa.C.S. § 204 (b) (9) (relating to eminent domain for private business prohibited); or
- Private roads within a common interest ownership community under 68 Pa.C.S. (relating to real and personal property).

The term "municipality" shall mean a county, city, borough, incorporated town or township.

This act shall take effect in 60 days.

FISCAL IMPACT:

Enactment of this legislation will have no fiscal impact on Commonwealth funds.