

**PUBLIC HIGHWAYS, CLOSING OF REGULATED**  
**Act of May. 9, 1929, P.L. 1702, No. 550**  
AN ACT

Cl. 36

Regulating the closing of public highways and providing for the locating, marking and maintenance of detours necessitated by such closing; requiring boroughs, cities and towns to notify the Department of Highways of the creation and discontinuance of certain detours; providing penalties for removing, destroying, defacing signs erected for warning or detour purposes, and for driving on, over or across highways which are closed by the proper persons or authorities, except in certain cases; further providing that the authorities responsible for the maintenance of highways which have been damaged or their agents or contractors, shall have the right to recover the amount of such damages from the person or persons responsible, in addition to the penalties herein provided; and repealing certain acts.

**Compiler's Note:** Section 1101(38) of Act 428 of 1945 provided that Act 550 is repealed insofar as it applies to State highways.

**Compiler's Note:** Section 4701 of Act 317 of 1931 provided that Act 550 is repealed insofar as it relates to third class cities.

**Compiler's Note:** Section 26 of Act 146 of 1931 provided that Act 550 is repealed insofar as it relates to counties except first class counties.

Section 1. Be it enacted, &c., That from and after the passage of this act, except in the case of emergencies wherein the safety of the public would be endangered, no public road or highway in this Commonwealth shall be closed to vehicular traffic, except upon order of the authorities having charge of the maintenance of such highways, nor for a longer period than is necessary for the purpose for which such order is issued: Provided, however, That no public road or highway shall be closed to vehicular traffic when the same has been designated as a detour by the Department of Highways of the Commonwealth, unless the written consent of the Department of Highways has first been obtained, or unless the authorities having jurisdiction over said road or highway shall, by resolution duly recorded on their minutes, declare such closing necessary for the protection of the public safety.

Section 2. When any borough, town or city street, which forms a part or section of a State highway, is closed to vehicular traffic, the borough, town or city shall at once notify the Department of Highways of the creation of a detour, as hereinafter provided, and when such detour is removed, the Department of Highways shall also be notified at once of the removal.

Section 3. When any public road or highway shall be closed, as hereinbefore provided, it shall be the duty of the authorities authorizing the closing to immediately designate or lay out a detour, on which they shall erect or cause to be erected and maintained, while such detour is in use, legible signs at each public road intersection throughout its entire length, indicating the direction to the main highway; and, during the period when such detour is in use, it shall be the duty of the authorities closing the main highway to maintain such detour in safe and passable condition. It shall also be the duty of the authorities closing the main highway and maintaining the detour to immediately remove all detour signs

when the highway originally closed is opened for traffic; and said authorities shall, as soon as possible, repair the road designated as a detour, and place same in a condition at least equal to its condition when designated as a detour. Whenever necessary in the creation of a detour, as aforesaid, the authorities responsible for laying out the detour may enter into agreement with the owners of private lands, covering the acquisition of right-of-way privileges over private property for the period when the main highway shall be closed to traffic. In case no agreement satisfactory to the parties can be reached, the authorities responsible for the laying out of the detour may proceed with the construction of the same, and either such authorities or the owner of the property occupied may petition the court for the appointment of viewers to ascertain the damages, if any, in the same manner as damages are now ascertained for the opening of public roads. In the exercise of the rights conferred by this section, the authorities responsible are hereby empowered to pay for the necessary maintenance, subsequent repair, damages, and land rental, out of such funds as are available for the construction or maintenance of the highways in their charge.

(3 amended June 12, 1931, P.L.502, No.159)

Section 4. Any person who shall wilfully remove, deface, destroy or disregard any barricade, light, danger sign, detour sign, or warning of any other character whatsoever, erected or placed under authority of this act, or who shall drive on, over or across any highway which has been closed by proper authority, shall, upon conviction thereof in a summary proceeding before a magistrate, alderman or justice of the peace, be sentenced to pay a fine of not less than twenty-five dollars nor more than one hundred dollars, and the costs of prosecution, and, in default of the payment thereof, shall be imprisoned one day for each dollar of fine and costs unpaid: Provided, however, That persons who have no outlet due to the closing of a highway may drive on, over or across such highway, with the consent in writing of, and subject to such conditions as may be prescribed by, the authorities responsible for the closing or their agents or contractors, without being subject to the penalties imposed by this section.

**Compiler's Note:** Section 28 of Act 207 of 2004 provided that any and all references in any other law to a "district justice" or "justice of the peace" shall be deemed to be references to a magisterial district judge.

Section 5. In addition to the penalties herein provided, the authorities responsible for the maintenance of a highway which has been closed to vehicular traffic, or their agents or contractors, may, in an action at law, recover damages from any person or persons who have damaged a highway by driving on, over or across same when it is closed to vehicular traffic in accordance with the provisions of this act.

Section 6. All fines collected under the provisions of section four of this act shall be paid by the officer receiving the same to the treasurers of the respective cities, boroughs, towns or townships in which the offense was committed.