

GENERAL ROAD LAW - REPAIR OF PRIVATE ROADS AND DEFINITIONS

Act of Oct. 7, 2021, P.L. 409, No. 75

Cl. 36

Session of 2021

No. 2021-75

HB 523

AN ACT

Amending the act of June 13, 1836 (P.L.551, No.169), entitled "An act relating to roads, highways and bridges," further providing for repair of private roads and providing for definitions.

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

Section 1. Section 15 of the act of June 13, 1836 (P.L.551, No.169), referred to as the General Road Law, is amended to read:

Section 15. Repair of private roads

(a) [All private roads] **A private road** shall be opened, fenced and kept in repair by and at the expense of the [person or persons respectively] **property owner** at whose request the [same were] **private road was** granted and laid out, and by [their] **the property owner's** heirs and assigns.

(b) Each property owner that shares a common benefit from a private road shall contribute in proportion to the amount of the private road utilized to the cost of maintaining the private road at the current level of improvement and shall have the right to bring a civil action to enforce the requirement of this section.

(c) This section shall not apply to a private road subject to a written maintenance agreement, a private road established by the Commonwealth or by a municipality entitled to the exception provided under 26 Pa.C.S. § 204(b)(9) (relating to eminent domain for private business prohibited) or to a private road within a common interest ownership community under 68 Pa.C.S. (relating to real and personal property).

Section 2. The act is amended by adding a section to read:
Section 80. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

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

Section 3. This act shall take effect in 60 days.

APPROVED--The 7th day of October, A.D. 2021.

TOM WOLF