

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 506

Session of
1975

INTRODUCED BY GLEASON AND WHELAN, FEBRUARY 19, 1975

REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 19, 1975

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," requiring the
6 Commonwealth to repair and maintain guardrails along State
7 highways in cities.

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

10 Section 1. Section 522, act of June 1, 1945 (P.L.1242,
11 No.428), known as the "State Highway Law," amended March 9, 1970
12 (P.L.159, No.60), is amended to read:

13 Section 522. Construction, Resurfacing, Repair and
14 Maintenance.--After the streets designated as State highways
15 shall have been taken over by the Commonwealth, they shall be
16 maintained, constructed, reconstructed and resurfaced by the
17 department at the expense of the Commonwealth, and such
18 construction, reconstruction, and resurfacing shall be of such
19 type as shall be determined by the secretary, with the approval
20 of the Governor, and repairs and maintenance shall be of such
21 type as shall be determined by the secretary. The obligation of

1 the Commonwealth in the construction, reconstruction,
2 resurfacing or maintenance, as hereinbefore provided, shall be
3 limited to that part of the street, or section thereof, between
4 curb lines as established at the time of passage of the act by
5 which the street was designated as a State highway, or, in the
6 discretion of the secretary, between curb lines theretofore or
7 thereafter established, [but] except that this limitation shall
8 not apply to the maintenance of guardrails abutting State
9 highways. The obligation of the Commonwealth shall not include
10 the portions of such streets which are or may be used and
11 occupied by the structures or surface facilities of any public
12 utility company. Maintenance shall not include snow removal or
13 street cleaning, and shall be limited to the portion of the
14 street between existing curb lines available to vehicular
15 traffic. Maintenance shall include the clearance of snow but not
16 the carrying away thereof and shall also include the repair and
17 maintenance of all guardrails abutting streets designated as
18 State highways.

19 The department may enter into agreements, in the discretion
20 of the secretary, with the cities, or with persons,
21 associations, or corporations, for the sharing with the
22 Commonwealth of the cost of snow clearance, but not the carrying
23 away thereof or construction, reconstruction, or resurfacing of
24 the streets, or sections thereof, taken over by the Commonwealth
25 under any act. Where any such street is to be improved and the
26 city agrees to bear a portion of the cost of the improvement,
27 the abutting property owners may be assessed a proportionate
28 part of the cost of the improvements and benefits as now
29 provided by the laws applicable to the improvements of city
30 streets.

1 The department may in the discretion of the secretary, enter
2 into agreements with cities, for reimbursing the cities for
3 clearing snow from highways but not for the carrying away
4 thereof.

5 Section 2. This act shall take effect immediately.