
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 489 Session of
2011

INTRODUCED BY M. SMITH AND BRENNAN, FEBRUARY 4, 2011

REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 4, 2011

AN ACT

1 Providing for powers of local authorities to establish maximum
2 speed limits on roadways and State-designated highways within
3 their physical boundaries.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Local Speed
8 Limit Act.

9 Section 2. Definitions.

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

13 "Department." The Department of Transportation of the
14 Commonwealth.

15 "Freeway." A limited access highway to which the only means
16 of ingress and egress is by interchange ramps.

17 "Interstate highway." A freeway on the Dwight D. Eisenhower
18 System of Interstate and Defense Highways.

19 "Limited access highway." A highway in respect to which

1 owners or occupants of abutting lands and other persons have no
2 legal right of access except at points and in the manner
3 determined by the authority having jurisdiction over the
4 highway.

5 "Local authorities." County, municipal and other local
6 boards or bodies having authority to enact laws relating to
7 traffic. The term also includes airport authorities, except
8 where those authorities are located within counties of the first
9 class or counties of the second class.

10 "Roadway." That portion of a highway improved, designed or
11 ordinarily used for vehicular travel, exclusive of the sidewalk,
12 berm or shoulder even though such sidewalk, berm or shoulder is
13 used by pedalcycles. If a highway includes two or more separate
14 roadways the term shall refer to each roadway separately but not
15 to all such roadways collectively.

16 "State-designated highway." A highway or bridge on the
17 system of highways and bridges over which the department has
18 assumed or has been legislatively given jurisdiction.

19 Section 3. Power of local authorities.

20 (a) Action by local authorities.--Action taken by local
21 authorities under this act shall be:

22 (1) by ordinance of the local governing body; or

23 (2) by a commission or public official authorized by the
24 local governing body to act on specified matters.

25 (b) Powers.--

26 (1) Except as provided under paragraph (2),
27 notwithstanding any other provision of law, a local authority
28 may take action to alter or set maximum speed limits on
29 roadways or State-designated highways within their physical
30 boundaries without prior approval or authority from the

1 department.

2 (2) A local authority may not take action to alter or
3 set maximum speed limits in excess of 75 Pa.C.S. § 3362(a)
4 (relating to maximum speed limits).

5 (c) Engineering and traffic investigation.--Action by local
6 authorities under this act shall not require an engineering and
7 traffic investigation to establish a speed limit under this act.
8 Section 4. Notification and posting of speed limit.

9 (a) Notification.--Upon adoption of ordinance or rule, the
10 local authority shall promptly notify the department of the
11 change in maximum speed limit.

12 (b) Posting of speed limit.--After receiving official
13 notification from the local authority, the department shall post
14 the maximum speed limit as adopted by the local authority on the
15 respective roadway or State-designated highway within 30 days.

16 Section 5. Exception.

17 Local authorities may not alter or set maximum speed limits
18 on freeways or interstate highways within their physical
19 boundaries.

20 Section 20. Effective date.

21 This act shall take effect immediately.