
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1354 Session of
2015

INTRODUCED BY YAW, TEPLITZ, GORDNER, RAFFERTY, BARTOLOTTA,
YUDICHAK, BROWNE AND WARD, AUGUST 30, 2016

REFERRED TO TRANSPORTATION, AUGUST 30, 2016

AN ACT

1 Authorizing the Department of Transportation to erect fencing on
2 certain State-owned bridges.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Bridge
7 Fencing Safety Act.

8 Section 2. Definitions.

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

12 "Bridge." A State-owned, new or existing bridge under the
13 jurisdiction of the department.

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

16 "Limited access highway." As defined in 75 Pa.C.S. § 102
17 (relating to definitions).

18 Section 3. Bridges over interstate and other limited access

1 highways.

2 (a) Bridges with sidewalks.--When a bridge is built with a
3 sidewalk or when a concrete barrier is installed, modified or
4 rehabilitated on a bridge with a sidewalk over an interstate or
5 other limited access highway, the department shall install
6 protective fencing.

7 (b) Bridges without sidewalks.--When a bridge is built
8 without a sidewalk or when a concrete barrier is installed,
9 modified or rehabilitated on a bridge without a sidewalk over an
10 interstate or other limited access highway, the department, as
11 part of its preliminary design process, shall consider
12 protective fencing at all of the following locations:

13 (1) On an overpass near a school, playground or other
14 site where it would be expected that the overpass would be
15 frequently used by children.

16 (2) On an overpass in an urban area used exclusively by
17 pedestrians and not easily kept under surveillance by police.

18 (3) On an overpass where experience relating to nearby
19 structures indicates a need for protective fencing.

20 (4) On an overpass where there have been incidents of
21 objects being dropped or thrown from the overpass and where
22 increased surveillance, warning signs or apprehension of
23 offenders has not effectively alleviated the problem.

24 (c) Exceptions.--The provisions of subsection (a) shall not
25 apply if:

26 (1) a protective barrier is required on the bridge; or

27 (2) the fencing would obstruct scenic views of the area
28 and the local government for the municipality in which the
29 bridge is located:

30 (i) decides that fencing must not be placed on the

1 bridge;

2 (ii) provides a statement to the department that
3 there have been no incidents of objects being dropped
4 from the bridge onto traffic; and

5 (iii) agrees that local law enforcement will monitor
6 the bridge.

7 Section 4. Bridges over nonlimited access highways.

8 The department, as part of its preliminary design process,
9 shall consider protective fencing at all of the following
10 locations on bridges over nonlimited access highways:

11 (1) On an overpass near a school, playground or other
12 site where it would be expected that the overpass would be
13 frequently used by children.

14 (2) On an overpass in an urban area used exclusively by
15 pedestrians and not easily kept under surveillance by police.

16 (3) On an overpass with a sidewalk, where experience
17 relating to nearby structures indicates a need for protective
18 fencing.

19 (4) On an overpass where there have been incidents of
20 objects being dropped or thrown from the overpass and where
21 increased surveillance, warning signs or apprehension of
22 offenders has not effectively alleviated the problem.

23 Section 5. Effective date.

24 This act shall take effect immediately.