

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 523 Session of 2019

INTRODUCED BY DAY, BERNSTINE, MILLARD, NEILSON, ZIMMERMAN, WHEELAND, BROWN, MULLINS, ROTHMAN AND POLINCHOCK, FEBRUARY 19, 2019

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 24, 2019

AN ACT

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

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

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

9 Section 15. Repair of private roads

10 (a) All private roads shall be opened, fenced and kept in
11 repair by and at the expense of the person or persons
12 respectively at whose request the same were granted and laid
13 out, and by their heirs and assigns.

14 (b) ~~In the absence of a written agreement or if the private~~ <--
15 ~~road is a part of a planned community under 68 Pa.C.S. (relating~~
16 ~~to real and personal property), when (B) WHEN more than one~~ <--
17 ~~person enjoys a common benefit from a private road, each person~~

1 shall contribute in proportion to the amount of private road
2 owned UTILIZED to the cost of maintaining the private road AT <--
3 THE CURRENT LEVEL OF IMPROVEMENT and shall have the right to
4 bring a civil action to enforce the requirement of this section.

5 (C) A PERSON SHALL BE EXEMPT FROM CONTRIBUTING TO THE COST <--
6 OF MAINTAINING THE PRIVATE ROAD UNDER SUBSECTION (B) IF THE
7 PERSON DOES NOT UTILIZE THE PRIVATE ROAD FOR PRIMARY ACCESS TO
8 THE PERSON'S PROPERTY.

9 (D) THIS SECTION SHALL NOT APPLY TO PRIVATE ROADS WITH A
10 WRITTEN AGREEMENT OR TO PRIVATE ROADS WITHIN A COMMON INTEREST
11 OWNERSHIP COMMUNITY UNDER 68 PA.C.S. (RELATING TO REAL AND
12 PERSONAL PROPERTY).

13 Section 2. This act shall take effect in 60 days.