
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1335 Session of
2019

INTRODUCED BY GABLER, SCHLEGEL CULVER, GROVE, JOZWIAK, MILLARD,
NEILSON, OBERLANDER, RYAN, SCHMITT AND ZIMMERMAN,
APRIL 26, 2019

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 26, 2019

AN ACT

1 Repealing in part the act of June 13, 1836 (P.L.551, No.169),
2 entitled "An act relating to roads, highways and bridges."

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

5 Section 1. Sections 11, 12, 13, 14, 16 and 17 of the act of
6 June 13, 1836 (P.L.551, No.169), referred to as the General Road
7 Law, are repealed:

8 [Section 11. Proceedings to open private roads

9 The several Courts of Quarter Sessions shall, in open court
10 as aforesaid, upon the petition of one or more persons,
11 associations, partnerships, stock companies, or corporations,
12 for a road from their respective lands or leaseholds to a
13 highway or place of necessary public resort, or to any private
14 way leading to a highway, or upon the petition of the chief
15 executive officer of any executive or administrative department
16 of the state government for a road from any public highway
17 across any lands of any person, association, or corporation to

1 the boundary line of any lands owned, controlled, or
2 administered by the commonwealth, direct a view to be had of the
3 place where such road is requested, and a report thereof to be
4 made, in the same manner as is directed by the said act of
5 thirteenth june, one thousand eight hundred and thirty-six.

6 Section 12. Proceedings on report of viewers

7 If it shall appear by the report of viewers to the court
8 directing the view, that such road is necessary, the said court
9 shall direct what breadth the road so reported shall be opened,
10 and the proceedings in such cases shall be entered on record, as
11 before directed, and thenceforth such road shall be deemed and
12 taken to be a lawful private road.

13 Section 13. Gates

14 In all cases of a private road, it shall be lawful for the
15 owners of the land over which the same may be laid out or
16 authorized, to apply to the court aforesaid for leave to hang
17 and maintain at their own expense, swinging gates across the
18 road, and thereupon the court shall direct the viewers appointed
19 to view such road, or in case the road has been already laid
20 out, may appoint other viewers in manner aforesaid, to inquire
21 and report whether the same may be done without much
22 inconvenience to the persons using such road.

23 Section 14. When gates shall be erected

24 If it shall appear to the court that a gate or gates may be
25 hung as aforesaid, according to the prayer of the party, without
26 much inconvenience to the person or persons using such road,
27 they shall decree accordingly, and in such decree they shall
28 order and direct that such gate or gates be made and kept in
29 repair, and made easy for passing, by the respective owners of
30 said land.

1 Section 16. Damages

2 The damages sustained by the owners of the land through which
3 any private road may pass shall be estimated in the manner
4 provided in the case of a public road, and shall be paid by the
5 persons, associations, partnership, stock companies,
6 corporations, or executive or administrative department of the
7 commonwealth, at whose request the road was granted or laid out:
8 Provided, that no such road shall be opened before the damages
9 shall be fully paid.

10 Section 17. Use by others than petitioners

11 Whenever any person shall be desirous to make use of a
12 private road laid out on the petition and at the expense of
13 others, such person may apply by petition to the Court of
14 Quarter Sessions of the respective county, to be admitted to
15 participate in the privilege of the said road, and thereupon
16 such court shall have power to determine what sum he shall
17 contribute to the persons at whose expense the said road was
18 laid out, and also what further sum he shall pay to the owners
19 of the soil over which the said road was made, and upon the
20 payment thereof, such person shall be entitled to equal rights
21 and privileges, and be subject to like duties and liabilities
22 with the original applicants for said road.]

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