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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1768 Session of  
2019

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INTRODUCED BY RYAN, BERNSTINE, GROVE, HENNESSEY, STRUZZI,  
ZIMMERMAN AND ROTHMAN, AUGUST 30, 2019

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REFERRED TO COMMITTEE ON TRANSPORTATION, AUGUST 30, 2019

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, in transfer of State highways, further providing  
3 for definitions and for restoration of highways.

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

6 Section 1. Section 9201 of Title 75 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a definition to read:  
8 § 9201. Definitions.

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

12 \* \* \*

13 "Rehabilitative work." Work that includes, but is not  
14 limited to, the alteration or relocation of all or a portion of  
15 a highway or road for safety purposes that is reasonably  
16 necessary, economical or practicable as determined by the  
17 department.

18 Section 2. Section 9207 of Title 75 is amended to read:

1 § 9207. Restoration of highways.

2 (a) General rule.--The department and the affected  
3 municipality shall jointly determine whether any rehabilitative  
4 work is required to put the highway or road in a satisfactory  
5 condition. The rehabilitative work may be done by department or  
6 municipal forces, or by contract, as the parties shall agree. If  
7 the work is to be performed by the department or its  
8 contractors, the highway or road transfer [~~shall not~~] may be  
9 effective [~~until all agreed upon~~] before the rehabilitative work  
10 has been completed if agreed to by the department and affected  
11 municipality.

12 (b) Funding.--All [~~restoration~~] rehabilitative work shall be  
13 paid from the State Highway Transfer Restoration Restricted  
14 Account within the Motor License Fund, provided, however, that  
15 the department may in its discretion pay for any or all such  
16 work to be performed by the department or its contractors from  
17 funds made available to the county maintenance districts under  
18 section 9102 (relating to distribution of State highway  
19 maintenance funds). No funds shall be allocated to  
20 municipalities for the maintenance of highways transferred under  
21 this chapter out of section 4 of the act of June 1, 1956 (1955  
22 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal  
23 Allocation Law, nor shall highways transferred under the  
24 provisions of this chapter be used to compute or determine the  
25 allocations of municipalities under that section.

26 (c) Public liability.--Upon transfer of any highway, the  
27 municipality shall assume the same public liability for the  
28 transferred highway as it assumes for other highways under  
29 municipal jurisdiction.

30 Section 3. This act shall take effect in 60 days.