

No. 1987-25

AN ACT

SB 295

Amending the act of June 1, 1945 (P.L.1242, No.428), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," further providing for the issuance of permits for the opening of streets and driveways onto State highways.

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

Section 1. Section 420(b) of the act of June 1, 1945 (P.L.1242, No.428), known as the State Highway Law, amended March 7, 1982 (P.L.147, No.47), is amended to read:

Section 420. Rules for Use of, and Injury to, Highways; Penalty.—* * *

(b) The secretary may issue permits for the opening of streets and driveways onto State highways and for the opening of the surface and occupancy of State highways on terms and conditions established in department regulations[, and]. *Permits may be conditioned upon posting of bonds or other security and liability insurance. Any bonds or other security relating to highway restoration posted in connection with surface opening permits shall be based upon highway restoration costs and shall cover a period not in excess of two (2) years from the department's acknowledgment of completion of the work.*

(1) *The secretary may delegate [such] permit-issuing authority to any municipality which agrees to issue permits in compliance with [such] department regulations or [local regulations] municipal ordinances approved by the secretary which shall contain standards which are in every particular at least as high as those contained in the department regulations.*

(2) *No person, municipality or municipality authority shall open a driveway onto a State highway or open the surface of or occupy a State highway without [such] a permit.*

* * *

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

APPROVED—The 1st day of July, A. D. 1987.

ROBERT P. CASEY