

No. 1985-92

## AN ACT

HB 316

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," authorizing municipalities to perform certain work on State highways within municipal boundaries; providing relief for tort liability for such work; and authorizing certain payments and reimbursements.

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

Section 1. Article V of the act of June 1, 1945 (P.L.1242, No.428), known as the State Highway Law, is amended by adding a subdivision to read:

ARTICLE V.  
RURAL STATE HIGHWAY SYSTEM AND STATE HIGHWAYS  
IN CITIES, BOROUGHS AND TOWNS

\* \* \*

*(e) Provisions Applicable to All Municipalities.*

*Section 561. Municipal Work and Reimbursement.—(a) A municipality and the department shall have the power to enter into a contract for the municipality to perform minor routine maintenance work on the roadway and shoulders of any State highway located within the municipal boundaries of the municipality.*

*(b) Each municipality which completes the work described in subsection (a) shall be relieved from any tort liability arising after completion of such work if the completed project conforms to the standards of the contract as agreed to by the department.*

*(c) Each municipality shall be entitled to receive payment or reimbursement from the department, in accordance with the contract, if the work is completed to the standards of the contract as agreed to by the department.*

*(d) Nothing contained in this subdivision shall impair, suspend, contract, enlarge, extend or affect in any manner the powers and duties of the Pennsylvania Public Utility Commission as contained in sections 2702, 2703 and 2704 of Title 66 of the Pennsylvania Consolidated Statutes (relating to public utilities).*

Section 2. This act shall take effect in 30 days.

APPROVED—The 18th day of December, A. D. 1985.

DICK THORNBURGH