
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1796 Session of
2023

INTRODUCED BY STAMBAUGH, HAMM, M. JONES, LAWRENCE AND GILLEN,
OCTOBER 27, 2023

REFERRED TO COMMITTEE ON TRANSPORTATION, OCTOBER 27, 2023

AN ACT

1 Amending the act of June 1, 1945 (P.L.1242, No.428), entitled
2 "An act relating to roads, streets, highways and bridges;
3 amending, revising, consolidating and changing the laws
4 administered by the Secretary of Highways and by the
5 Department of Highways relating thereto," in construction,
6 improvement, maintenance and repair of State highways,
7 further providing for duty on Department of Highways.

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

10 Section 1. Section 401 of the act of June 1, 1945 (P.L.1242,
11 No.428), known as the State Highway Law, is amended to read:

12 Section 401. Duty on Department of Highways.--(a) The
13 department shall construct or improve, and thereafter maintain
14 and repair, at the cost and expense of the Commonwealth, the
15 highways forming the plan or system of the State highways, in
16 the several counties and townships. Such improvement and
17 maintenance shall be made according to specifications to be
18 prepared by the department, as regards the character,
19 construction, and material to be used. The work of construction
20 and maintenance of said State highways shall be done under the

1 direction and supervision of the secretary. The secretary, in
2 addition to the powers conferred upon him in this act, shall
3 enjoy and possess, in the construction and maintenance of State
4 highways, all the rights and powers conferred by existing laws
5 on supervisors or commissioners in townships in the construction
6 or maintenance of township roads.

7 (b) All State highways shall be resurfaced at least once
8 every twenty-five (25) years and shall be improved and
9 maintained in coordination with the department's engineering
10 districts, metropolitan planning organizations and rural
11 planning organizations. The department shall create a twenty-
12 five-year plan for each engineering district for the resurfacing
13 of all State highways in that district. During the penultimate
14 year of the plan, any State highway that has not been resurfaced
15 during that twenty-five-year period shall be prioritized
16 immediately. The department shall publish a publicly available
17 list of all State highways, organized by county, that includes
18 the last year a complete or partial resurfacing was performed on
19 each State highway.

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