

*Miller's Grove and Clairton road; thence over said Miller's Grove and Clairton boulevard; thence over said Clairton boulevard to route two hundred forty-seven in Overbrook; thence over Saw Mill Run boulevard to the city line of Pittsburgh.*

APPROVED—The 4th day of May, A. D. 1927.

JOHN S. FISHER

No. 353

AN ACT

To amend section thirty of an act, approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred and sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships and counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriation to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by authorizing the construction of State-aid highways through and joining boroughs or incorporated towns.

Section 1. Be it enacted, &c., That section thirty of an act, approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy

State highways.

Section 30 of act of May 31, 1911 (P. L. 468), amended.

State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or country roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns, with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," is hereby further amended to read as follows:

When portion of highway is within a borough or incorporated town.

Section 30. Where a portion of a highway traversing one or more townships, and for the improvement and maintenance of which as a State-aid highway, according to the provisions of this act, application has been made by said township or townships, shall lie within the limits of

or traverse any borough or boroughs, or any incorporated town or towns, and where the failure of said borough or boroughs, or incorporated town or towns, to improve the said highway would leave a break or unimproved section in a continuous improved highway; or where any highway traverses two adjoining boroughs or incorporated towns, or one borough or incorporated town and part of an adjoining borough or incorporated town, and one of the termini of such highway connects with an improved highway in either of said boroughs or incorporated towns and the councils of each of such boroughs or incorporated towns, are desirous of having such highway improved,—it shall be lawful for the county commissioners of the county in which said highway is located to enter into an agreement with said borough or boroughs, or incorporated town or towns, to bear a portion of the expenses of said improvement of the highway within the limits of the said borough or town, in the same manner as herein provided for the cooperation between the counties and townships; [Provided, That an improved road shall have been previously constructed in an adjoining township, borough, or town to the lines of the borough or town making application or petition for such improvement] and the State Highway Commissioner is authorized to bear a portion of the expense of said improvement of said highway within said borough or town limits; but in no case shall the portion of said expense to be borne by the State exceed fifty (50) per centum of the total expense of said improvement: [Boroughs or incorporated towns shall only receive aid from the State as aforesaid in cases where failure to receive such aid would prevent a continuous improvement of an important State-aid highway.] Provided, That any borough or incorporated town which is willing to pay one-half the cost of constructing any such road hereinbefore mentioned, may make application direct to the State Highway Department: [All improvements made in borough or town highways, as herein provided, shall be of a character similar to that specified for the township or townships through which the highway to be improved passes in reaching said borough or town.] Provided, however, That the council of any borough or boroughs, or incorporated town or towns, through which such highway passes, shall, before its construction, by proper ordinances, enter into an agreement with the State Highway Commissioner for the payment of said borough's or town's share of the cost of construction and of the subsequent maintenance of such portion of said State-aid highway as lies within the limits of said borough or town, similar to that required elsewhere in this act of the commissioners or supervisors of townships.

Agreement.

State's share of expense.

Application by borough or town.

Proviso.

Agreement.

APPROVED—The 4th day of May, A. D. 1927.

JOHN S. FISHER