

No. 158

AN ACT

Authorizing the Secretary of Highways, with the approval of the Governor, to enter into agreements with private owners of bridges, other than toll bridges, forming part of a State highway or a continuation thereof, or connecting two State highways, for the acquisition of such bridges, or for the division of responsibility for such maintenance thereof.

Section 1. Be it enacted, &c., That where a bridge, Highways.
other than a toll bridge, forming part of a State highway or a continuation thereof, or connecting two State highways, shall be owned or controlled, in whole or in part, by any person, partnership, association or corporation, it shall be lawful for the Secretary of Highways, with the approval of the Governor, to enter into agreements with such owner for the acquisition of such bridge or bridges, or for the division of responsibility for maintenance thereof, under such fair and reasonable terms of payment as may be agreed upon: Provided, however, That this act shall not apply to relieve any person, partnership, association or corporation from any obligation for the construction or maintenance of any such bridge under any agreement or order of court, or any order of the Public Service Commission, heretofore or hereafter made.

Section 2. The cost and expense of the acquisition or maintenance of any such bridges shall be paid out of moneys appropriated to the Department of Highways for the reconstruction, maintenance, and improvement of State highways. Cost to be paid
by Department
of Highways.

Section 3. This act shall become effective immediately upon its approval by the Governor. When effective.

APPROVED—The 13th day of May, A. D. 1937.

GEORGE H. EARLE

 No. 159

AN ACT

To further amend section one of an act, approved the twenty-first day of May, one thousand nine hundred thirty-one (Pamphlet Laws, one hundred forty-seven), entitled "An act placing upon the Commonwealth the responsibility for the construction and maintenance of certain bridges on State highway routes or continuations of State highway routes in boroughs, incorporated towns, cities of the third class and townships, under certain conditions and restrictions, and appropriating money in the Motor License Fund for such purposes; providing for a limitation of the Commonwealth's liability for reconstruction and maintenance, in certain cases, under orders of court or the Public Service Commission; providing for the Commonwealth to succeed to the rights of the county under certain existing

agreements or contracts; authorizing the department to issue licenses to public service companies for occupancy of such bridges in accordance with existing laws, subject to certain conditions and restrictions; providing for the crediting of certain moneys to the Motor License Fund; and providing for the return to the county or disposal of said bridges in certain cases; and repealing certain acts with reference to county bridges," by adding thereto county and township bridges over mill races.

Section 1, act of May 21, 1931 (P. L. 147), as last amended by act of July 15, 1935 (P. L. 1035), further amended.

Section 1. Be it enacted, &c., That section one of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (Pamphlet Laws, one hundred forty-seven), entitled "An act placing upon the Commonwealth the responsibility for the construction and maintenance of certain bridges on State highway routes or continuations of State highway routes in boroughs, incorporated towns, cities of the third class and townships, under certain conditions and restrictions, and appropriating money in the Motor License Fund for such purposes; providing for a limitation of the Commonwealth's liability for reconstruction and maintenance, in certain cases, under orders of court or the Public Service Commission; providing for the Commonwealth to succeed to the rights of the county under certain existing agreements or contracts; authorizing the department to issue licenses to public service companies for occupancy of such bridges in accordance with existing laws, subject to certain conditions and restrictions; providing for the crediting of certain moneys to the Motor License Fund; and providing for the return to the county or disposal of said bridges in certain cases; and repealing certain acts with reference to county bridges," as last amended by the act, approved the fifteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand thirty-five), is hereby amended to read as follows:

County bridges on State highways.

County's or township's responsibility to be assumed by State.

Expense of building or maintaining.

Certain obligations to continue.

Section 1. Be it enacted, &c., That where any county or township is responsible for the construction or maintenance of any bridge on a State highway route carrying vehicular traffic over a stream *or mill race*, or over a stream *or mill race* and the facilities of any public service company, or on a continuation of a State highway route through any borough or incorporated town, or which is located on a continuation of a State highway route and part of which extends into the municipal limits of a third-class city, the responsibility of such county or township shall be assumed by the Commonwealth, except as hereinafter in this act provided. All such bridges shall be taken over by the Department of Highways, and shall be built, rebuilt, repaired, and maintained by the department at the expense of the Commonwealth. This act shall not be construed to relieve any person, firm, association, or corporation from any obligation for the

construction or maintenance of any such bridge under any agreement or order of court or under any order of the Public Service Commission heretofore or hereafter made.

Section 2. This act shall become effective immediately upon its final enactment. When effective

APPROVED—The 13th day of May, A. D. 1937.

GEORGE H. EARLE

No. 160

AN ACT

To amend section fourteen 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 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 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, 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