

PAR CAPITOL REPORT

October 2021

Private Roadway Maintenance Agreements Legislation Becomes Law

Key legislation amending the Pennsylvania Private Road Act was approved by the General Assembly and signed by the governor into law as [Act 75 of 2021](#).

Originally [House Bill 523](#) (Day, R-Berks), Act 75 amends the Private Road Act to provide for maintenance agreements in the absence of a written agreement, and it was a key priority bill for the Pennsylvania Association of Realtors® this session.

PAR has been strongly advocating for passage of this legislation because of difficulties buyers have experienced securing federally backed financing options when maintenance agreements are not in place for properties on private roadways. Without an agreement in place, these lenders will not provide financing to close the transaction.

Act 75 remedies this issue by providing a minimum statutory maintenance agreement in state law. And, property owners still have the right to create their own written agreements with their neighbors.

The law takes effect in 60 days. [Read more on PAREaltors.org](#).

Live Stream Education Update

During the pandemic, an emergency regulatory waiver allowed real estate education courses to be conducted via livestream and this temporary waiver was due to expire on Sept. 30. PAR has been working with the State Real Estate Commission and the General Assembly to permanently allow livestream education.

[House Bill 1849](#) (Polinchock, R-Bucks) was introduced to accomplish this. PAR has been strongly advocating for its passage and it unanimously passed the House on Sept. 22 and was sent to the Senate.

However, with the Sept. 30 deadline looming, the General Assembly and Gov. Wolf agreed to extend all the emergency regulatory waivers until March 31, 2022.

The General Assembly is still committed to passing legislation to make all of these waivers permanent and this extension simply gives them more time to pass the required individual bills.

Our livestream bill, HB 1849, is still moving forward. On Sept. 29, it was unanimously reported out of the Senate Consumer Protection and Professional Licensure Committee, and we expect to see continued movement when the Senate returns the week of Oct. 18.

Legislation Tracking

To see a list of the state legislation the association is currently monitoring visit [PAREaltors.org](#).