

**JOHN A. LAWRENCE**  
STATE REPRESENTATIVE  
13<sup>TH</sup> LEGISLATIVE DISTRICT



**HOUSE OF REPRESENTATIVES**  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

**HARRISBURG OFFICE**  
P.O. BOX 202013  
HARRISBURG, PA 17120  
(717) 260-6117

**JENNERSVILLE OFFICE**  
1 COMMERCE BLVD. SUITE 200  
WEST GROVE, PA 19390  
(610) 869-1602

Governor Tom Wolf  
Main Capitol Building  
Harrisburg, PA 17120

April 1, 2015

Dear Governor Wolf –

I trust all is well.

As you are likely aware, this past winter has been absolutely brutal on state roadways across the Commonwealth. In Southern Chester County, we are experiencing an absolutely unprecedented pothole situation on numerous state routes including Route 1, Route 10, Route 41, Route 272, Route 472, and Route 896 just to name a few.

My office is in nearly daily contact with PennDOT District 6 regarding road conditions, and we receive numerous phone calls on a daily basis from constituents who report major damage to their automobiles resulting from potholes. Some stretches of roadway are frankly nearly impassable. I have sent personal emails to PennDOT listing potholes on specific roadways as I travel throughout Chester County. Many of them have not been addressed, or were addressed only to reopen after a few weeks due to even more snow and rain.

I would like to stress that it is my belief that PennDOT is tackling the issue to the extent possible, and that the folks at District 6 have been very cooperative with any and all communications from my office. Truly, the severe winter we just experienced, particularly after the winter we saw the previous year, has created an untenable situation. It has become apparent to me that the job is simply too much for PennDOT to tackle. Even one more day with potholes covering these roadways is one too many.

With this in mind, I am writing to ask you to take emergency action via executive order to provide immediate relief to the motorists of Chester County, and I imagine, across many other parts of the Commonwealth. I propose that PennDOT and the Commonwealth authorize local municipalities to fill potholes on state roads on a temporary basis over the next few weeks, just to get ahead of the situation in a timely manner. Such a program could be patterned after the existing PennDOT program that allows local municipalities to plow snow from state roads, and then receive reimbursement from PennDOT for the cost.

While such a plan could take many forms, I suggest several basic precepts:

- Municipalities would have a three or four week window to fill potholes on state roads effective immediately
- Municipal road crews would take a picture or provide a written description for each pothole fixed
- After fixing the potholes, municipalities would bill the Commonwealth for each repair, providing photographs or written descriptions of the work done as a receipt for work performed
- The Commonwealth would provide a liability waiver for any work performed by municipalities under this emergency plan to prevent frivolous lawsuits
- The Commonwealth would agree to reimburse municipalities rapidly to allay fears that municipalities might have about doing road repairs only to wait for months or years for reimbursement from PennDOT
- Participating municipalities would submit a daily report of work completed to their respective PennDOT district to make sure all agencies are on the same page as to work being performed and completed

It is my understanding that there is already a similar program in place that could potentially be leveraged to perform this work. Apparently, PennDOT and municipalities have the ability to sign an "Agility Agreement" to trade work back and forth – for example, we will post some of your signs if you agree to perform some of our road sweeping. However, these agreements can take quite a bit of time to establish, and apparently liability issues prevent municipalities from even considering taking on these types of arrangements.

The current pothole situation requires immediate attention and in my view should be addressed through immediate executive action. I do not believe an Agility Agreement would solve the issues at hand in a timely manner. We need something in place tomorrow, not next year. This is an exceptional circumstance that requires exceptional action.

I sincerely appreciate your consideration of this proposal, and your continued service to the people of Pennsylvania. Please let me know how you intend to move forward on this issue.

Kind Regards,



John Lawrence  
State Representative  
Commonwealth of Pennsylvania

cc: Leslie Richards, Acting Secretary, Pennsylvania Department of Transportation  
The Honorable John Taylor, Majority House Transportation Chairman  
Chester County Delegation, Pennsylvania House of Representatives  
Affected Constituents