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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 5

Session of  
1983

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Report of the Committee of Conference

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To the Members of the House of Representatives and Senate:

We, the undersigned, Committee of Conference on the part of the House of Representatives and Senate for the purpose of considering House Bill No. 5, entitled:

"An act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, ~~ADDING A DEFINITION~~ DEFINITIONS; ~~FURTHER PROVIDING FOR EXPENDITURES FOR THE MOTOR VEHICLE EMISSION INSPECTION PROGRAM; ESTABLISHING A CREDIT PROGRAM FOR CERTAIN INSPECTION FEES;~~ FURTHER PROVIDING FOR CERTAIN BONDING REQUIREMENTS; RESTRICTING THE OPERATIONS OF CERTAIN COMBINATIONS; further providing for the length AND WIDTH of certain vehicles; REGULATING CERTIFICATION OF CERTAIN AUTO INSPECTION MECHANICS; ~~AND~~ AND FURTHER PROVIDING FOR CERTAIN WEIGHT LIMITATIONS. ~~PROVIDING A PENALTY; AND MAKING A REPEAL.~~,"

respectfully submit the following bill as our report:

JOSEPH A. PETRARCA

FRANK J. PISTELLA

RICHARD A. GEIST

(Committee on the part of the House of Representatives.)

ROBERT J. KUSSE

FRANK J. O'CONNELL

VINCENT J. FUMO

(Committee on the part of the Senate.)

AN ACT

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding definitions; further providing for certain bonding requirements; restricting the operations of certain combinations; further providing for the length and width of certain vehicles; regulating certification of certain auto inspection mechanics; further providing for certain weight limitations; and requiring axle tax markers.

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

Section 1. The definition of "registered gross weight" in section 102 of Title 75 of the Pennsylvania Consolidated Statutes is amended and the section is amended by adding definitions to read:

§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

\* \* \*

"Converter gear." A trailer designed and used exclusively to tow a semitrailer by mounting the semitrailer on the fifth wheel of the converter gear. The term includes the terms "auxiliary axle" and "jeep dolly."

\* \* \*

"Registered gross weight."

(1) The maximum gross weight at which a vehicle or combination is registered in this Commonwealth to operate upon a highway, which shall include the weight at which a vehicle or combination is registered for operation in this Commonwealth under any system of proportional registration pursuant to Subchapter C of Chapter 61 (relating to

1     reciprocity).

2           (2) For the purposes of Chapter 49 (relating to size,  
3     weight and load), Chapter 99 (relating to axle tax for  
4     highway bridge improvement) and the definition of "motor  
5     carrier vehicle," if there is no registered gross weight as  
6     defined in paragraph (1), then the term shall mean the  
7     maximum gross weight at which a vehicle or combination  
8     registered in another state is registered or otherwise  
9     authorized to operate by such state.

10     \* \* \*

11     "Terminal." A facility, to or from which a combination is  
12     actually en route for loading, unloading, breaking down or  
13     storing, which has adequate off-highway parking, maneuvering and  
14     vehicle storage area to which vehicles can obtain access and  
15     egress without backing from or onto a highway, street or public  
16     alley.

17     \* \* \*

18     "Tow dolly." A trailer designed and used exclusively to tow  
19     another vehicle by mounting its front or rear wheels on the tow  
20     dolly while the other wheels of the towed vehicle remain in  
21     contact with the ground.

22     \* \* \*

23     Section 2. Section 4702.1 of Title 75 is amended to read:

24     § 4702.1. Limited liability of inspection station or mechanic.

25     (a) General rule.--An inspection conducted pursuant to  
26     section 4702(a) (relating to annual inspection) shall not be  
27     construed as a guaranty of the safety of any vehicle and neither  
28     the official inspection station issuing the certificate of  
29     inspection nor the official inspection mechanic performing the  
30     inspection shall be liable to the owner or occupants of any

1 inspected vehicle for any damages caused by the failure or  
2 malfunction of that vehicle or to the owner or occupants of any  
3 vehicle involved in an accident with that inspected vehicle or  
4 to any pedestrian injured in the accident unless it can be shown  
5 by a preponderance of the evidence that the failure was caused  
6 by the negligence of the inspection station or mechanic.

7 (b) Prior certification.--Inspection mechanics certified as  
8 to training, qualifications and competence, prior to January 1,  
9 1983, shall be deemed to have complied with departmental  
10 regulations and shall be authorized to conduct motor vehicle  
11 inspections without reapplication for certification.

12 Section 3. Section 4904 of Title 75 is amended by adding  
13 subsections to read:

14 § 4904. Limits on number of towed vehicles.

15 \* \* \*

16 (e) Two-trailer combinations on interstate and designated  
17 primary highways.--Combinations consisting of a truck tractor  
18 and two trailers may only be driven as described in section 4908  
19 (relating to operation of certain combinations on interstate and  
20 certain primary highways).

21 (f) Tow dollies and converter gears.--A tow dolly or  
22 converter gear may be towed by a motor vehicle for the purpose  
23 of towing another vehicle, provided the combination meets all  
24 requirements of section 4905 (relating to safety requirements  
25 for towed vehicles) and separate lighting equipment is displayed  
26 on the rear of a towed motor vehicle. A converter gear may also  
27 be towed empty behind a combination consisting of a truck  
28 tractor and semitrailer.

29 Section 4. Title 75 is amended by adding a section to read:  
30 § 4908. Operation of certain combinations on interstate and

1 certain primary highways.

2 (a) General rule.--Combinations authorized by section  
3 4904(e) (relating to limits on number of towed vehicles) to have  
4 two trailers, or by section 4923(b)(6) (relating to length of  
5 vehicles) to exceed the length limitation for combinations, may  
6 be driven only on the types of highways and under the  
7 limitations set forth below:

8 (1) On a designated network consisting of all interstate  
9 highways and portions of Federal aid primary highways having  
10 at least a 48-foot-wide roadway or two 24-foot-wide roadways  
11 and designated by the department as capable of safely  
12 accommodating such vehicles.

13 (2) Between the designated network and either of the  
14 following:

15 (i) A terminal or a facility for food, fuel, repair  
16 or rest having an entrance within two-tenths of a mile of  
17 the nearest ramp or intersection, but only on highways  
18 having lanes at least 12 feet wide, and only if the  
19 facility meets the criteria for off-street parking,  
20 maneuvering and vehicle storage area for terminals.

21 (ii) A terminal which can safely and reasonably be  
22 accessed using highways approved under subsection (d).

23 (b) Household goods carriers.--In addition to the operations  
24 authorized in subsection (a), a household goods carrier,  
25 consisting of a truck tractor and either of the following:

26 (1) A single trailer, which exceeds the maximum length  
27 for combinations established in section 4923(a), may be  
28 driven between the designated network and a point of loading  
29 or unloading which can safely and reasonably be accessed.

30 (2) Two trailers, may be driven between the designated

1 network and a point of loading or unloading which can safely  
2 and reasonably be accessed using highways approved under  
3 subsection (d) for the particular movement.

4 (c) Nearby terminals and facilities.--Where one or more  
5 terminals or facilities for food, fuel, repair or rest along a  
6 highway having lanes at least 12 feet wide are in close  
7 proximity to a terminal or facility which is within two-tenths  
8 of a mile of the designated network, all of such terminals and  
9 facilities shall be deemed to be within two-tenths of a mile of  
10 the designated network.

11 (d) Route approval.--Approval of a route under subsection  
12 (a)(2)(ii) or (b)(2) shall be obtained from the:

13 (1) City in the case of any highway in a city.

14 (2) Department in the case of a State highway not in a  
15 city, except that the department will, upon request, delegate  
16 authority to approve routes under this subsection to a  
17 municipality which has been delegated authority to issue  
18 permits in accordance with section 420 of the act of June 1,  
19 1945 (P.L.1242, No.428), known as the State Highway Law.

20 (3) Municipality in the case of a local highway not in a  
21 city.

22 (e) Notice.--

23 (1) The department shall publish the designated network  
24 established in subsection (a)(1) in the Pennsylvania Bulletin  
25 as a notice under 45 Pa.C.S. § 725(a)(3) (relating to  
26 additional contents of Pennsylvania Bulletin), and will also  
27 forward the designated network to trucking companies and  
28 associations and other interested parties, upon request.

29 (2) Approval of a route under subsection (a)(2)(ii)  
30 shall be effective upon notice by the approving authority to

1 the person who requested it. Notice of the approval shall  
2 also be given to State and affected local police, and shall  
3 be published in the Pennsylvania Bulletin within ten days as  
4 a notice under 45 Pa.C.S. § 725(a)(3).

5 (3) Approval of a route under subsection (b)(2) shall be  
6 effective upon notice by the approving authority to the  
7 person who requested it. Notice of the approval shall also be  
8 given to State and affected local police and shall be  
9 published in the Pennsylvania Bulletin within ten days.

10 (f) Revocation of route approval.--The authority which  
11 approved a route under subsection (a)(2)(ii) may revoke the  
12 route approval if it determines that the route or some portion  
13 of it cannot safely and reasonably accommodate combinations  
14 authorized to exceed length or number of trailer limitations.  
15 Notice of the revocation shall be published in the Pennsylvania  
16 Bulletin as a notice under 45 Pa.C.S. § 725(a)(3) and shall be  
17 effective 15 days after such publication, except that the  
18 posting authority may effect an earlier revocation by posting  
19 signs to indicate the revocation. Written notice of the  
20 revocation shall also be given to the person who requested the  
21 route approval and to State and affected local police.

22 Section 5. Section 4921(a) of Title 75 is amended to read:

23 § 4921. Width of vehicles.

24 (a) General rule.--The total outside width of a vehicle,  
25 including any load, shall not exceed eight feet except as  
26 otherwise provided in this section. While operating as provided  
27 in section 4908 (relating to operation of certain combinations  
28 on interstate and certain primary highways), the total width of  
29 a vehicle shall not exceed eight and one-half feet, except as  
30 otherwise provided in this section.

1       \* \* \*

2       Section 6. Sections 4923, 4943(a) and 9904 of Title 75 are  
3 amended to read:

4   § 4923. Length of vehicles.

5       (a) General rule.--[No] Except as provided in subsection  
6 (b), no motor vehicle, including any load and bumpers, shall  
7 exceed an overall length of 40 feet, and no combination,  
8 including any load and bumpers, shall exceed an overall length  
9 of 60 feet.

10      (b) Exceptions.--The limitations of (a) do not apply to the  
11 following:

12           (1) Any motor vehicle equipped with a boom or boom-like  
13 device if the vehicle does not exceed 55 feet.

14           (2) Any combination transporting articles which do not  
15 exceed 70 feet in length and are nondivisible as to length.

16           (3) Any bus of an articulated design which does not  
17 exceed 60 feet.

18           (4) Any motor vehicle towing a disabled motor vehicle to  
19 a location for repair or to some other place of safety.

20           (5) A combination designed and used exclusively for  
21 carrying motor vehicles if the overall length of the  
22 combination and load does not exceed 65 feet.

23           (6) Any combination consisting of a truck tractor and  
24 one or two trailers, when driven as described in section 4908  
25 (relating to operation of certain combinations on interstate  
26 and certain primary highways), provided that, except when  
27 being operated as a part of a combination of a tractor and  
28 single trailer not exceeding an overall length of 60 feet,  
29 the length of a single trailer shall not exceed 48 feet and  
30 the length of each double trailer shall not exceed 28 feet.



1 § 4943. Maximum axle weight of vehicles.

2 (a) General rule.--No vehicle or combination driven upon a  
3 highway shall have a weight upon any axle in excess of the  
4 lesser of the manufacturer's rated axle capacity or the  
5 following applicable weight:

6 (1) Steering axles.--The maximum axle weight upon a  
7 steering axle shall not exceed [18,000] 20,000 pounds.

8 (2) Other axles.--

9 Maximum Axle Weight in Pounds Upon:

10 If the Center-to-Center

11 Distance Between the	One of Two	Other of Two
12 Nearest Adjacent Axles is:	Adjacent Axles	Adjacent Axles
13 Under 6 feet	18,000	18,000
14 6 to 8 feet	18,000	22,400
15 Over 8 feet	22,400	22,400

16 \* \* \*

17 § 9904. [Evidence of payment.

18 The issuance of a registration card or vehicle identification  
19 marker or permit shall be prima facie evidence that any tax  
20 imposed by section 9902 (relating to imposition of axle tax) has  
21 been paid.]

22 Axle tax markers required.

23 (a) General rule.--The Secretary of Revenue shall provide  
24 axle tax markers for each truck, truck tractor or combination  
25 upon which axle tax has been paid pursuant to section 9902  
26 (relating to imposition of axle tax). The marker must be affixed  
27 to the vehicle and displayed as prescribed by regulation prior  
28 to the operation of the vehicle in this Commonwealth.

29 (b) Issuance of markers.--The axle tax marker shall be  
30 issued for a 12-month period which coincides with the period of

1 validity of either the identification marker or registration  
2 referred to in section 9903 (relating to report and payment of  
3 tax).

4 (c) Penalty.--Any person who operates or causes to be  
5 operated in this Commonwealth any vehicle not displaying the  
6 axle tax marker as required by this section commits a summary  
7 offense and shall, upon conviction, be sentenced, for a first  
8 offense, to pay a fine of not less than \$200 nor more than \$500  
9 and, for each subsequent or additional offense, to pay a fine of  
10 not less than \$300 nor more than \$500 or to imprisonment for not  
11 more than 90 days, or both.

12 (d) Exception.--This section shall not apply to a person  
13 operating a vehicle under a valid permit issued pursuant to  
14 section 2102(d)(2) (relating to identification markers  
15 required).

16 Section 7. The provisions of sections 1, 3, 4, 5 and 6  
17 insofar as it relates to section 4923 of this amendatory act  
18 shall be effective only as long as Federal law or the Federal  
19 Highway Administration shall require this Commonwealth to allow  
20 combinations consisting of a truck tractor and two trailers and  
21 combinations in excess of 60 feet in length to be driven on its  
22 highways. Notice of a change in the Federal mandate shall be  
23 published in the Pennsylvania Bulletin by the Secretary of  
24 Transportation and the provisions of this act shall be void 30  
25 days thereafter.

26 Section 8. No bond shall be required pursuant to the act of  
27 December 20, 1967 (P.L.869, No.385), known as the Public Works  
28 Contractors' Bond Law of 1967, or any other law for contracts in  
29 an amount of \$25,000 or less between a prime contractor and the  
30 Department of Transportation for construction, reconstruction,

1 alteration, repair or maintenance of highways.

2 Section 9. This act shall take effect immediately.