

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 139

Session of  
1983

INTRODUCED BY LASHINGER, J. L. WRIGHT, COLAFELLA, TELEK, GEIST,  
LETTERMAN, BLAUM, E. Z. TAYLOR AND MICOZZIE, FEBRUARY 8, 1983

REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 8, 1983

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further prohibiting the use of earphones and  
3 headphones by certain persons using or crossing the public  
4 highways of this Commonwealth.

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

7 Section 1. Title 75 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a section to read:

9 § 3544.1. Wearing earphones or headphones while using highways.

10 (a) Offense defined.--It is unlawful for any person using a  
11 bicycle, skateboard, roller skates or other form of a  
12 nonmotorized vehicle to wear or utilize earphones or headphones  
13 while using the public streets and highways of this  
14 Commonwealth.

15 (b) Exceptions.--This section does not apply to:

16 (1) Law enforcement and firefighting personnel when on  
17 duty.

18 (2) Any person engaged in the operation of either  
19 special construction equipment or equipment for use in the

1 maintenance of any highway.

2 (3) Any person engaged in the operation of refuse  
3 collection equipment who is wearing a safety headset or  
4 safety earplugs.

5 (4) Any person wearing personal hearing protectors in  
6 the form of custom earplugs or molds that are designed to  
7 attenuate injurious noise levels and in such a manner as to  
8 not inhibit the wearer's ability to hear a siren or horn from  
9 an emergency vehicle or horn from another vehicle.

10 (c) Removal by pedestrians or joggers.--Pedestrians and  
11 joggers using earphones and headphones shall remove the devices  
12 prior to leaving the sidewalk to cross the street or to walk  
13 temporarily on the streets and highways.

14 (d) Penalty.--A violation of this section is a summary  
15 offense punishable by a fine not exceeding \$50 or a term of  
16 imprisonment of five days or both.

17 Section 2. This act shall take effect in 60 days.