

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1817 Session of
1975

INTRODUCED BY BONETTO, OCTOBER 2, 1975

REFERRED TO COMMITTEE ON TRANSPORTATION, OCTOBER 2, 1975

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, adding revised, compiled and codified provisions
3 relating to vehicles.

4 TABLE OF CONTENTS

5 TITLE 75

6 VEHICLES

7 PART I. PRELIMINARY PROVISIONS

8 Chapter 1. General Provisions

9 § 101. Short title of title.

10 § 102. Definitions.

11 § 103. Uniformity of interpretation.

12 § 104. Continuation of existing law.

13 PART II. TITLE, REGISTRATION AND LICENSING

14 Chapter 11. Certificate of Title and Security Interests.

15 Subchapter A. Certificate of Title

16 § 1101. Certificate of title required.

17 § 1102. Vehicles not requiring certificate of title.

18 § 1103. Application for certificate of title.

19 § 1104. Examination of records upon receipt of application.

1 § 1105. Issuance of certificate of title.
2 § 1106. Content and effect of certificate of title.
3 § 1107. Delivery of certificate of title.
4 § 1108. Registration without certificate of title or with bond.
5 § 1109. Refusing issuance of certificate of title.
6 § 1110. Duplicate certificate of title to replace original.
7 § 1111. Transfer of ownership of vehicle.
8 § 1112. Disclosure of odometer reading and tampering with
9 odometer.
10 § 1113. Transfer to or from manufacturer or dealer.
11 § 1114. Transfer of vehicle by operation of law.
12 § 1115. Correction of certificate of title.
13 § 1116. Issuance of new certificate following transfer.
14 § 1117. Vehicle destroyed or junked.
15 § 1118. Suspension and cancellation of certificate of title.
16 § 1119. Application for certificate of title by agent.
17 Subchapter B. Security Interests
18 § 1131. Applicability of subchapter.
19 § 1132. Perfection of security interest.
20 § 1133. Creation of security interest for titled vehicle.
21 § 1134. Assignment by lienholder of security interest.
22 § 1135. Satisfaction of security interest.
23 § 1136. Duty of lienholder to disclose pertinent information.
24 § 1137. Subchapter exclusive for perfecting security interest.
25 § 1138. Duration of lien recorded on certificate of title.
26 Chapter 13. Registration of Vehicles
27 Subchapter A. General Provisions
28 § 1301. Driving unregistered vehicle prohibited.
29 § 1302. Vehicles subject to registration.
30 § 1303. Vehicles of nonresidents exempt from registration.

1 § 1304. Registration criteria.
2 § 1305. Application for registration.
3 § 1306. Grounds for refusing registration.
4 § 1307. Period of registration.
5 § 1308. Issuance of registration card.
6 § 1309. Renewal of registration.
7 § 1310. Temporary registration cards and plates.
8 § 1311. Registration card to be signed and exhibited on demand.
9 § 1312. Notice of change of name or address.
10 § 1313. Duplicate registration cards.
11 § 1314. Operation of vehicle following death of owner.
12 § 1315. Department records.
13 § 1316. Sale of copies of registrations and statistics.

14 Subchapter B. Registration Plates

15 § 1331. Registration plates to be furnished by department.
16 § 1332. Display of registration plate.
17 § 1333. Lost, damaged or illegible registration plate.
18 § 1334. Plate to remain on vehicle.
19 § 1335. Registration plates for manufacturers and dealers.
20 § 1336. Use of dealer registration plates.
21 § 1337. Use of "Miscellaneous Motor Vehicle Business"
22 registration plates.
23 § 1338. Handicapped plate.
24 § 1339. Legislative plate.
25 § 1340. Antique and classic plates.
26 § 1341. Personal plate.
27 § 1342. Use of school bus plates.
28 § 1343. Use of farm truck plates.
29 § 1344. Return of registration plates.

30 Subchapter C. Violations and Suspensions

1 § 1371. Operation following suspension of registration.
2 § 1372. Unauthorized transfer or use of registration.
3 § 1373. Suspension of registration.
4 § 1374. Suspension of vehicle business registration plates.
5 § 1375. Suspension of registration of unapproved carriers.
6 § 1376. Surrender of registration plates and cards upon
7 suspension.
8 § 1377. Right of appeal to court.
9 Chapter 15. Licensing of Drivers
10 Subchapter A. General Provisions
11 § 1501. Drivers required to be licensed.
12 § 1502. Persons exempt from licensing.
13 § 1503. Persons ineligible for licensing.
14 § 1504. Classes of licenses.
15 § 1505. Learners' permits.
16 § 1506. Application for driver's license or learner's permit.
17 § 1507. Application for driver's license or learner's permit
18 by minor.
19 § 1508. Examination of applicant for driver's license.
20 § 1509. Qualifications for Class 4 license.
21 § 1510. Issuance and content of driver's license.
22 § 1511. Carrying and exhibiting driver's license on demand.
23 § 1512. Restrictions on drivers' licenses.
24 § 1513. Duplicate and substitute drivers' licenses and
25 learners' permits.
26 § 1514. Expiration and renewal of drivers' licenses.
27 § 1515. Notice of change of name or address.
28 § 1516. Department records.
29 § 1517. Medical advisory board.
30 § 1518. Reports on mental or physical disabilities or

1 disorders.

2 § 1519. Determination of incompetency.

3 Subchapter B. Comprehensive System for Driver Education
4 and Control

5 § 1531. Administration of system by department.

6 § 1532. Revocation of operating privilege.

7 § 1533. Suspension of operating privilege for failure to
8 respond to citation.

9 § 1534. Suspension of operating privilege upon acceptance of
10 Accelerative Rehabilitative Disposition.

11 § 1535. Schedule of convictions and points.

12 § 1536. Notice of assignment of points.

13 § 1537. Removal of points.

14 § 1538. School, examination or interview on accumulation of
15 points.

16 § 1539. Suspension of operating privilege on accumulation of
17 points.

18 § 1540. Surrender of license.

19 § 1541. Period of revocation or suspension of operating
20 privilege.

21 § 1542. Driving while operating privilege is suspended or
22 revoked.

23 § 1543. Assignment of points for conviction in another state.

24 § 1544. Additional period of revocation or suspension.

25 § 1545. Restoration of operating privilege.

26 § 1546. Suspension or revocation of nonresident's operating
27 privilege.

28 § 1547. Suspension or revocation for conviction in another
29 state.

30 § 1548. Chemical test to determine amount of alcohol.

1 § 1549. Post conviction examination for driving under
2 influence.
3 § 1550. Establishment of schools.
4 § 1551. Appeal to court.
5 Subchapter C. Violations.
6 § 1571. Violations concerning licenses.
7 § 1572. Cancellation of driver's license.
8 § 1573. Driving under foreign license during suspension or
9 revocation.
10 § 1574. Permitting unauthorized person to drive.
11 § 1575. Permitting violation of title.
12 § 1576. Local authorities liable for negligence of their
13 employees.
14 Chapter 17. Financial Responsibility
15 Subchapter A. General Provisions
16 § 1701. Application of chapter.
17 § 1702. Administration of chapter.
18 § 1703. Availability of other remedies.
19 § 1704. Transfer of suspended registration to evade chapter.
20 Subchapter B. Deposit of Security
21 § 1721. Deposit of security following accident.
22 § 1722. Suspension of license of resident involved in accident
23 in another state.
24 § 1723. Exceptions to security requirements.
25 § 1724. Duration of suspension.
26 § 1725. Coverage and revision of security.
27 § 1726. Custody, disposition and return of security.
28 § 1727. Matters not evidence in civil actions.
29 § 1728. Appeal to court from action of department.
30 Subchapter C. Proof of Future Responsibility

1 § 1741. Court reports on nonpayment of judgments.
2 § 1742. Suspension for nonpayment of judgments.
3 § 1743. Continuation of suspension until judgments paid and
4 proof given.
5 § 1744. Payments sufficient to satisfy judgments.
6 § 1745. Installment payment of judgments.
7 § 1746. Proof of financial responsibility after suspension
8 or revocation.
9 § 1747. Providing financial responsibility.

10 Chapter 19. Fees (Reserved)

11 PART III. OPERATION OF VEHICLES

12 Chapter 31. General Provisions

13 Subchapter A. Obedience to and Effect of Traffic Laws

14 § 3101. Application of part.
15 § 3102. Obedience to authorized persons directing traffic.
16 § 3103. Persons riding animals or driving animal-drawn
17 vehicles.
18 § 3104. Persons working on highways.
19 § 3105. Drivers of emergency vehicles.
20 § 3106. Operators of streetcars.

21 Subchapter B. Traffic-control Devices

22 § 3111. Obedience to traffic-control devices.
23 § 3112. Traffic-control signals.
24 § 3113. Pedestrian-control signals.
25 § 3114. Flashing signals.
26 § 3115. Lane-direction-control signals.

27 Chapter 33. Rules of the Road in General

28 Subchapter A. General Provisions

29 § 3301. Driving on right side of roadway.
30 § 3302. Meeting vehicle proceeding in opposite direction.

1 § 3303. Overtaking vehicle on the left.
2 § 3304. Overtaking vehicle on the right.
3 § 3305. Limitations on overtaking on the left.
4 § 3306. Limitations on driving on left side of roadway.
5 § 3307. No-passing zones.
6 § 3308. One-way roadways and rotary traffic islands.
7 § 3309. Driving on roadways laned for traffic.
8 § 3310. Following too closely.
9 § 3311. Driving on divided highways.
10 § 3312. Limited-access highway entrances and exits.
11 § 3313. Restrictions on use of limited-access highways.
12 Subchapter B. Right-of-way
13 § 3321. Vehicle approaching or entering intersection.
14 § 3322. Vehicle turning left.
15 § 3323. Stop signs and yield signs.
16 § 3324. Vehicle entering or crossing roadway.
17 § 3325. Duty of driver on approach of emergency vehicle.
18 § 3326. Duty of driver in construction and maintenance areas.
19 Subchapter C. Turning, Starting and Signals
20 § 3331. Required position and method of turning.
21 § 3332. Limitations on turning around.
22 § 3333. Moving stopped or parked vehicle.
23 § 3334. Turning movements and required signals.
24 § 3335. Signals by hand and arm or signal lamps.
25 § 3336. Method of giving hand and arm signals.
26 Subchapter D. Special Stops Required
27 § 3341. Obedience to signal indicating approach of train.
28 § 3342. Vehicles required to stop at railroad crossings.
29 § 3343. Moving heavy equipment at railroad grade crossings.
30 § 3344. Emerging from alley, driveway or building.

1 § 3345. Meeting or overtaking school bus.

2 Subchapter E. Stopping, Standing and Parking

3 § 3351. Stopping, standing and parking outside business and
4 residence districts.

5 § 3352. Removal of vehicle by or at direction of police.

6 § 3353. Prohibitions in specified places.

7 § 3354. Additional parking regulations.

8 Subchapter F. Speed Restrictions.

9 § 3361. Driving vehicle at safe speed.

10 § 3362. Maximum speed limits.

11 § 3363. Alteration of maximum limits by department.

12 § 3364. Alteration of maximum limits by local authorities.

13 § 3365. Minimum speed regulation.

14 § 3366. Special speed limitations.

15 § 3367. Charging speed violations.

16 § 3368. Racing on highways.

17 § 3369. Speed timing devices.

18 Chapter 35. Special Vehicles and Pedestrians

19 Subchapter A. Operation of Bicycles

20 § 3501. Applicability of traffic laws to bicycles.

21 § 3502. Penalty for violation of subchapter.

22 § 3503. Responsibility of parent or guardian.

23 § 3504. Riding on bicycles.

24 § 3505. Riding on roadways and bicycle paths.

25 § 3506. Articles carried by operator.

26 § 3507. Lamps and other equipment on bicycles.

27 § 3508. Bicycles on sidewalks and bicycle paths.

28 Subchapter B. Special Rules for Motorcycles

29 § 3521. Applicability of traffic laws to motorcycles.

30 § 3522. Riding on motorcycles.

1 § 3523. Operating motorcycles on roadways laned for traffic.

2 § 3524. Footrests and handlebars.

3 § 3525. Protective equipment for motorcycle riders.

4 Subchapter C. Rights and Duties of Pedestrians

5 § 3541. Obedience of pedestrians to traffic-control devices
6 and regulations.

7 § 3542. Right-of-way of pedestrians in crosswalks.

8 § 3543. Pedestrians crossing at other than crosswalks.

9 § 3544. Pedestrians walking along or on highway.

10 § 3545. Pedestrians soliciting rides or business.

11 § 3546. Driving through or around safety zone.

12 § 3547. Right-of-way of pedestrians on sidewalks.

13 § 3548. Pedestrians to yield to authorized emergency vehicles.

14 § 3549. Blind pedestrians.

15 § 3550. Pedestrians under influence of alcohol or controlled
16 substance.

17 § 3551. Compliance with bridge and railroad warning signals.

18 § 3552. Penalty for violation of subchapter.

19 Chapter 37. Miscellaneous Provisions

20 Subchapter A. Offenses in General

21 § 3701. Unattended motor vehicle.

22 § 3702. Limitations on backing.

23 § 3703. Driving upon sidewalk.

24 § 3704. Obstruction to driving view or mechanism.

25 § 3705. Opening vehicle doors on traffic side.

26 § 3706. Riding in house trailers or boats on trailers.

27 § 3707. Driving or stopping close to fire apparatus.

28 § 3708. Unauthorized driving over fire hose.

29 § 3709. Depositing waste and other material on highway.

30 § 3710. Stopping at intersection or crossing to prevent

1 obstruction.
2 § 3711. Careless driving.
3 § 3712. Unauthorized persons and devices hanging on vehicles.
4 § 3713. Abandonment and stripping of vehicles.

5 Subchapter B. Serious Traffic Offenses

6 § 3731. Reckless driving.
7 § 3732. Driving under influence of alcohol or controlled
8 substance.
9 § 3733. Homicide by vehicle.
10 § 3734. Fleeing or attempting to elude police officer.
11 § 3735. Driving without lights to avoid identification or
12 arrest.

13 Subchapter C. Accidents and Accident Reports

14 § 3741. Application of subchapter.
15 § 3742. Accidents involving death or personal injury.
16 § 3743. Accidents involving damage to attended vehicle or
17 property.
18 § 3744. Duty to give information and render aid.
19 § 3745. Accidents involving damage to unattended vehicle or
20 property.
21 § 3746. Immediate notice of accident to police department.
22 § 3747. Written report of accident by driver or owner.
23 § 3748. False reports.
24 § 3749. Reports by coroners and medical examiners.
25 § 3750. Reports by garages.
26 § 3751. Reports by police.
27 § 3752. Accident report forms.
28 § 3753. Department to tabulate and analyze accident reports.

29 PART IV. VEHICLE CHARACTERISTICS

30 Chapter 41. Equipment Standards

- 1 § 4101. Purpose of part.
- 2 § 4102. Definitions.
- 3 § 4103. Promulgation of vehicle equipment standards.
- 4 § 4104. Testing and approval of equipment.
- 5 § 4105. Revocation and renewal of certificates of approval.
- 6 § 4106. Market surveillance program.
- 7 § 4107. Unlawful activities.
- 8 § 4108. Injunctive relief.

9 Chapter 43. Lighting Equipment

- 10 § 4301. Promulgation of regulations by department.
- 11 § 4302. Period for requiring lighted lamps.
- 12 § 4303. General lighting requirements.
- 13 § 4304. Obstructed lights not required.
- 14 § 4305. Vehicular hazard signal lamps.
- 15 § 4306. Use of multiple-beam road lighting equipment.
- 16 § 4307. Use and display of illuminated signs.

17 Chapter 45. Other Required Equipment

18 Subchapter A. Brake Equipment

- 19 § 4501. Promulgation of regulations by department.
- 20 § 4502. General requirements for braking systems.

21 Subchapter B. Safety and Anti-pollution Equipment

- 22 § 4521. Promulgation of regulations by department.
- 23 § 4522. Violation of Federal statute or regulation.
- 24 § 4523. Exhaust systems, mufflers and noise control.
- 25 § 4524. Windshield obstructions and wipers.
- 26 § 4525. Tire equipment and traction surfaces.
- 27 § 4526. Safety glass.
- 28 § 4527. Television equipment.
- 29 § 4528. Fire extinguishers.
- 30 § 4529. Slow moving vehicle emblem.

1 § 4530. Portable emergency warning devices.

2 § 4531. Emission control systems.

3 § 4532. Smoke control for diesel-powered motor vehicles.

4 § 4533. Spray protection.

5 § 4534. Rear-view mirrors.

6 § 4535. Audible warning devices.

7 § 4536. Bumpers.

8 Subchapter C. Vehicles for Transportation of School Children

9 § 4551. Safety regulations.

10 § 4552. General requirements for school buses.

11 § 4553. General requirements for other vehicles transporting
12 school children.

13 Subchapter D. Equipment of Authorized and Emergency Vehicles

14 § 4571. Visual and audible signals on emergency vehicles.

15 § 4572. Visual signals on authorized vehicles.

16 Chapter 47. Inspection of Vehicles

17 Subchapter A. Inspection Requirements

18 § 4701. Duty to comply with inspection laws.

19 § 4702. Requirement for periodic inspection of vehicles.

20 § 4703. Operation of vehicle without official certificate of
21 inspection.

22 § 4704. Notice by police officers of violation.

23 § 4705. Inspection of vehicles for transportation of school
24 children.

25 Subchapter B. Official Inspection Stations

26 § 4721. Appointment of official inspection stations.

27 § 4722. Certificate of appointment.

28 § 4723. Certificate of appointment for inspecting fleet
29 vehicles.

30 § 4724. Suspension of certificates of appointment.

1 § 4725. Use of certificate of appointment at official
2 inspection stations.
3 § 4726. Certification of mechanics.
4 § 4727. Issuance of certificate of inspection.
5 § 4728. Certificate of rejection.
6 § 4729. Display of certificate of inspection.
7 § 4730. Violations of use of certificate of inspection.
8 § 4731. Records of inspections and certificates issued.
9 Chapter 49. Size, Weight and Load
10 Subchapter A. General Provisions
11 § 4901. Scope and application of chapter.
12 § 4902. Restrictions on use of highways and bridges.
13 § 4903. Securing loads in vehicles.
14 § 4904. Limits on number of towed vehicles.
15 § 4905. Safety requirements for towed vehicles.
16 § 4906. Fire apparatus.
17 § 4907. Penalty for violation of chapter.
18 Subchapter B. Width, Height, and Length
19 § 4921. Width of vehicles.
20 § 4922. Height of vehicles.
21 § 4923. Length of vehicles.
22 § 4924. Limitations on length of projecting loads.
23 § 4925. Width of projecting loads on passenger vehicles.
24 Subchapter C. Maximum Weights of Vehicles
25 § 4941. Maximum gross weight of vehicles.
26 § 4942. Registered gross weight.
27 § 4943. Maximum axle weight of vehicles.
28 § 4944. Maximum wheel and tire loads.
29 § 4945. Penalties for exceeding maximum weights.
30 § 4946. Impoundment of vehicles for nonpayment of overweight

1 fines.

2 § 4947. Disposition of impounded vehicles and loads.

3 § 4948. Maximum weight and seating capacity of buses.

4 Subchapter D. Special Permits for Excessive Size and Weight

5 § 4961. Authority to issue permits.

6 § 4962. Conditions of permits and security for damages.

7 § 4963. Exemptions for vehicles used in State highway
8 construction.

9 § 4964. Oral authorization following emergency or accident.

10 § 4965. Single permits for multiple highway crossings.

11 § 4966. Permit for movement of quarry equipment.

12 § 4967. Permit for movement of implements of husbandry.

13 § 4968. Permit for movement of equipment being manufactured.

14 Subchapter E. Measuring and Adjusting Vehicle Size and
15 Weight

16 § 4981. Weighing and measurement of vehicles.

17 § 4982. Reducing or readjusting loads of vehicles.

18 § 4983. Penalty for violation of subchapter.

19 PART V. ADMINISTRATION AND ENFORCEMENT

20 Chapter 61. Powers of Department and Local Authorities

21 Subchapter A. General Provisions

22 § 6101. Applicability and uniformity of title.

23 § 6102. Powers and duties of department and local authorities.

24 § 6103. Promulgation of rules and regulations by department.

25 § 6104. Administrative duties of department.

26 § 6105. Department to prescribe traffic and engineering
27 investigations.

28 § 6106. Designation of emergency vehicles by department.

29 § 6107. Designation of authorized vehicles by department.

30 § 6108. Power of Governor during emergency.

1 § 6109. Specific powers of department and local authorities.
2 § 6110. Regulation of traffic on Pennsylvania Turnpike.
3 § 6111. Regulation of traffic on bridges under authority of
4 interstate commissions.
5 § 6112. Removal of traffic hazards by property owner.
6 § 6113. Control of public travel on private property by owner.
7 Subchapter B. Traffic-control Devices
8 § 6121. Uniform system of traffic-control devices.
9 § 6122. Authority to erect traffic-control devices.
10 § 6123. Erection of traffic-control devices while working.
11 § 6124. Erection of traffic-control devices at intersections.
12 § 6125. Display of unauthorized signs, signals or markings.
13 § 6126. Interference with devices, signs or signals.
14 § 6127. Dealing in nonconforming traffic-control devices.
15 Subchapter C. Reciprocity
16 § 6141. Declaration of policy.
17 § 6142. Reciprocity agreements, arrangements and declarations
18 authorized.
19 § 6143. Benefits, privileges and exemptions from taxes and
20 fees.
21 § 6144. Vehicle registration and licensing.
22 § 6145. Proportional registration of fleet vehicles.
23 § 6146. Enforcement agreements.
24 § 6147. Declaration of reciprocity in absence of agreement.
25 § 6148. Applicability to leased vehicles.
26 § 6149. Automatic reciprocity.
27 § 6150. Proportional registration not exclusive.
28 § 6151. Suspension of reciprocity benefits.
29 § 6152. Form, publication and distribution of documents.
30 § 6153. Existing reciprocity agreements unaffected.

1 Chapter 63. Enforcement

2 Subchapter A. General Provisions

3 § 6301. Prosecutions under local ordinances superseded by
4 title.

5 § 6302. Limitation of actions for summary offenses.

6 § 6303. Rights and liabilities of minors.

7 § 6304. Disposition of license upon violation by licensee.

8 § 6305. Arrest of nonresident.

9 § 6306. Costs for summary offenses.

10 § 6307. Liability for costs not paid by defendant.

11 § 6308. Investigation by police officers.

12 § 6309. Falsification.

13 Subchapter B. Records of Traffic Cases

14 § 6321. Records of issuing authorities.

15 § 6322. Reports by issuing authorities.

16 § 6323. Reports by courts of record.

17 § 6324. Failure to comply with provisions of subchapter.

18 § 6325. Department records.

19 § 6326. Traffic citation forms.

20 Subchapter C. Evidentiary Matters

21 § 6341. Admissibility of copies of records as evidence.

22 § 6342. Registration number as prima facie evidence of
23 operation.

24 Chapter 65. Penalties and Disposition of Fines

25 § 6501. Definition of conviction.

26 § 6502. Designation of summary offenses and penalties.

27 § 6503. Penalties for misdemeanors.

28 § 6504. Penalties for felonies.

29 § 6505. Inability to pay fine and costs.

30 § 6506. Disposition of fines and forfeitures.

1 Chapter 67. Service of Process on Nonresidents

2 § 6701. Service of process on nonresident.

3 § 6702. Residents who depart Commonwealth or whose whereabouts
4 are unknown.

5 § 6703. Personal representatives of nonresidents.

6 § 6704. Manner of service of process.

7 § 6705. Record of service of process.

8 PART VI. MISCELLANEOUS PROVISIONS

9 Chapter 71. Vehicle Theft and Related Provisions

10 Subchapter A. Identification Number

11 § 7101. Removal or falsification of identification number.

12 § 7102. Dealing in vehicles with removed or falsified numbers.

13 § 7103. State replacement vehicle identification number plate.

14 § 7104. Seizure of vehicles with removed or falsified numbers.

15 Subchapter B. Stolen Vehicles

16 § 7111. Dealing in titles and plates for stolen vehicles.

17 § 7112. False report of theft or conversion of vehicle.

18 § 7113. Reporting stolen and recovered vehicles.

19 § 7114. Records of stolen vehicles.

20 § 7115. Application for certificate of title of a stolen
21 vehicle.

22 § 7116. Fraudulent removal of vehicle from garage.

23 Subchapter C. Misuse of Documents and Plates

24 § 7121. False application for certificate of title or
25 registration.

26 § 7122. Altered, forged or counterfeit documents and plates.

27 § 7123. Sale or purchase of certificate or other document.

28 § 7124. Fraudulent use or removal of registration plate.

29 Chapter 73. Abandoned Vehicles and Cargos

30 § 7301. Authorization of salvors.

1 § 7302. Certificate of authorization.
2 § 7303. Suspension of authorization.
3 § 7304. Reports to department of possession of abandoned
4 vehicles.
5 § 7305. Notice to owner and lienholders of abandoned vehicles.
6 § 7306. Payment of costs upon reclaiming vehicle.
7 § 7307. Authorization for disposal of unclaimed vehicles.
8 § 7308. Public sale of unclaimed vehicles with value.
9 § 7309. Junking of vehicles valueless except for junk.
10 § 7310. Removal of vehicles and spilled cargo from roadway.
11 § 7311. Reports by garage keepers of abandoned vehicles.
12 § 7312. Penalty for violation of chapter.

13 Chapter 75. Messenger Service

14 § 7501. Authorization of messenger service.
15 § 7502. Certificate of authorization.
16 § 7503. Suspension of authorization.
17 § 7504. Place of business.
18 § 7505. Transaction of business with department.
19 § 7506. Violations and penalties.

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

22 Section 1. Title 75, act of November 25, 1970 (P.L.707,
23 No.230), known as the Pennsylvania Consolidated Statutes, is
24 amended by adding parts to read:

25 TITLE 75

26 VEHICLES

27 Part

28 I. Preliminary Provisions

29 II. Title, Registration and Licensing

30 III. Operation of Vehicles

1 IV. Vehicle Characteristics

2 V. Administration and Enforcement

3 VI. Miscellaneous Provisions

4 PART I

5 PRELIMINARY PROVISIONS

6 Chapter

7 1. General Provisions

8 CHAPTER 1

9 GENERAL PROVISIONS

10 Sec.

11 101. Short title of title.

12 102. Definitions.

13 103. Uniformity of interpretation.

14 104. Continuation of existing law.

15 § 101. Short title of title.

16 This title shall be known and may be cited as the "Vehicle
17 Code."

18 § 102. Definitions.

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

24 "Abandoned vehicle."

25 (1) A vehicle:

26 (i) that is inoperable and is left unattended on
27 public property for more than 48 hours;

28 (ii) that has remained illegally on public property
29 for a period of more than 48 hours;

30 (iii) without a registration plate or certificate of

1 title left unattended on or along a highway; or

2 (iv) that has remained on private property without
3 the consent of the owner or person in control of the
4 property for more than 48 hours.

5 (2) Vehicles and equipment used or to be used in
6 construction or in the operation or maintenance of public
7 utility facilities, which are left in a manner which does not
8 interfere with the normal movement of traffic, shall not be
9 considered to be abandoned.

10 "Alley." A street or highway intended to provide access to
11 the rear or side of lots or buildings in urban districts and not
12 intended for the purpose of through vehicular traffic.

13 "Antique motor vehicle." A motor vehicle, but not a
14 reproduction thereof, manufactured more than 25 years prior to
15 the current year which has been maintained in or restored to a
16 condition which is substantially in conformance with
17 manufactured specifications.

18 "Authorized vehicle." A vehicle or type of vehicle, other
19 than an emergency vehicle, for which special operating or
20 equipment privileges are given by law or regulation of the
21 department based on design and utility for work within a
22 highway.

23 "Bus." A motor vehicle designed for carrying more than ten
24 passengers and used for the transportation of persons and a
25 motor vehicle, other than a taxicab, designed and used for the
26 transportation of persons for compensation.

27 "Business district." The territory contiguous to and
28 including a highway when within any 600 feet along the highway
29 there are buildings in use for business or industrial purposes,
30 including but not limited to hotels, banks, or office buildings,

1 railroad stations and public buildings which occupy at least 300
2 feet of frontage on one side or 300 feet collectively on both
3 sides of the highway.

4 "Classic motor vehicle." A self-propelled vehicle, but not a
5 reproduction thereof, manufactured more than ten years prior to
6 the current year and, because of discontinued production and
7 limited availability, determined by the department to be a model
8 or make of significant value to collectors or exhibitors and
9 which has been maintained in or restored to a condition which is
10 substantially in conformity with manufacturer specifications and
11 appearance.

12 "Combination." Two or more vehicles physically
13 interconnected in tandem.

14 "Crosswalk."

15 (1) That part of a roadway at an intersection included
16 within the connections of the lateral lines of the sidewalks
17 on opposite sides of the highway, measured from the curbs or,
18 in the absence of curbs, from the edges of the traversable
19 roadway.

20 (2) Any portion of a roadway at an intersection or
21 elsewhere distinctly indicated for pedestrian crossing by
22 lines or other markings on the surface.

23 "Dealer." A person engaged in the business of buying,
24 selling or exchanging vehicles.

25 "Department." The Department of Transportation of the
26 Commonwealth.

27 "Divided highway." A highway divided into two or more
28 roadways and so constructed as to impede vehicular traffic
29 between the roadways by providing an intervening space, physical
30 barrier or clearly indicated dividing section.

1 "Driveaway-towaway operation." Any operation in which any
2 motor vehicle, trailer or semi-trailer, singly or in
3 combination, constitutes the commodity being transported, when
4 one set or more of wheels of the vehicle are on the highway
5 during the course of transportation, whether or not the vehicle
6 furnished the motive power.

7 "Driver." A person who drives or is in actual physical
8 control of a vehicle.

9 "Driver's license." A license or permit to drive a motor
10 vehicle issued under this title.

11 "Emergency vehicle." A fire department vehicle, police
12 vehicle, ambulance and or other vehicle designated by the
13 secretary under section 6106 (relating to designation of
14 emergency vehicles by department).

15 "Engineering and traffic study." An orderly examination or
16 analysis of physical features and traffic conditions conducted
17 in accordance with regulations of the department and conforming
18 to generally accepted engineering standards and practices for
19 the purpose of ascertaining the need or lack of need for a
20 particular action by the department or local authorities.

21 "Essential parts." All integral and body parts of a vehicle
22 of a type required to be registered under this title, the
23 removal, alteration or substitution of which would tend to
24 conceal the identity of the vehicle or substantially alter its
25 appearance, model, type or mode of operation.

26 "Established place of business." The place actually occupied
27 either continuously or at regular periods by a dealer,
28 manufacturer or other vehicle-related business where the books
29 and records are kept and a large share of the business is
30 transacted.

1 "Exhibit." Surrender of a document into the temporary
2 possession of a person for the purpose of examining the
3 document.

4 "Farm truck." A truck used exclusively for farming purposes.

5 "Fleet owner." A person owning or leasing 15 or more
6 vehicles who provides servicing and repair of the vehicles.

7 "Foreign vehicle." A vehicle of a type required to be
8 registered under this title brought into this Commonwealth from
9 another state, territory or country other than in the ordinary
10 course of business by or through a manufacturer or dealer and
11 not registered in this Commonwealth.

12 "Freeway." A limited-access highway to which the only means
13 of ingress and egress is by interchange ramps.

14 "Full trailer." A vehicle designed to be drawn by a motor
15 vehicle and so constructed that no part of its weight rests upon
16 the towing vehicle. A semi-trailer attached to a towing vehicle
17 by means of an auxiliary front axle or dolly shall be deemed to
18 be a full trailer.

19 "Gross combination weight rating (GCWR)." The value
20 specified by the manufacturer as the loaded weight of a
21 combination.

22 "Gross vehicle weight rating (GVWR)." The value specified by
23 the manufacturer as the loaded weight of a single vehicle.

24 "Gross weight." The combined weight of a vehicle or
25 combination of vehicles and its load and driver.

26 "Highway." The entire width between the boundary lines of
27 every way publicly maintained when any part thereof is open to
28 the use of the public for purposes of vehicular travel. The term
29 includes a roadway open to the use of the public for vehicular
30 travel on grounds of a college or university.

1 "House trailer."

2 (1) A trailer which is designed, constructed and
3 equipped as a dwelling place, living abode or sleeping place
4 (either permanently or temporarily) and is equipped for use
5 as a conveyance on streets and highways.

6 (2) A trailer containing a chassis and exterior shell
7 designed and constructed for use as a house trailer, as
8 defined in paragraph (1), but which is used permanently or
9 temporarily for advertising, sales, display or promotion of
10 merchandise or services, or for any other commercial purpose
11 except the transportation of property.

12 "Implement of husbandry." A vehicle designed or adapted and
13 used exclusively for agricultural operations and only
14 incidentally operated or moved upon the highway.

15 "Intersection."

16 (1) The area embraced within the prolongation or
17 connection of the lateral curb lines, or, if none, then the
18 lateral boundary lines of the roadways of two highways which
19 join one another at, or approximately at, right angles, or
20 the area within which vehicles traveling upon different
21 highways joining at any other angle may come in conflict.

22 (2) Where a highway includes two roadways 30 feet or
23 more apart, then every crossing of each roadway of the
24 divided highway by an intersecting highway shall be regarded
25 as a separate intersection. In the event the intersecting
26 highway also includes two roadways 30 feet or more apart,
27 then every crossing of two roadways of the highways shall be
28 regarded as a separate intersection.

29 "Issuing authority." A public official having the power and
30 authority of a justice of the peace, magistrate or district

1 justice.

2 "Laned roadway." A roadway which is divided into two or more
3 clearly marked lanes for vehicular traffic.

4 "Learner's permit." A driver's license issued for the
5 purpose of learning to operate a motor vehicle.

6 "Lienholder." A person holding a security interest in a
7 vehicle.

8 "Limited access highway." A highway in respect to which
9 owners or occupants of abutting lands and other persons have no
10 legal right of access except at points and in the manner
11 determined by the authority having jurisdiction over the
12 highway.

13 "Local authorities." County, municipal and other local
14 boards or bodies having authority to enact laws relating to
15 traffic.

16 "Manufacturer." A person engaged in the business of
17 constructing or assembling vehicles or motors or bodies of
18 vehicles.

19 "Manufacturer's shipping weight." The weight of a vehicle
20 including all installed options as delivered for retail sale by
21 the final stage manufacturer and as indicated on the
22 manufacturer's certificate of origin.

23 "Messenger service." A person who, for a fee, advertises,
24 offers or provides to the public, generally, the service of
25 obtaining from the department vehicle titles, registrations,
26 drivers' licenses and similar documents. A dealer who obtains
27 documents only for purchasers of vehicles from the dealer is not
28 a messenger service.

29 "Mobile home." A trailer designed and used exclusively for
30 living quarters which exceeds the maximum size limitations

1 prescribed by this title for operation on a highway and includes
2 those units transported on a removable or non-removable frame
3 designed so as to be assembled together with another unit or
4 units into a structure which is used exclusively for living
5 quarters, commonly known as "modular units."

6 "Motor home." A motor vehicle designed, used or maintained
7 primarily as a mobile dwelling, office or commercial space.

8 "Motor vehicle." A vehicle which is self-propelled or which
9 is propelled by electric power obtained from overhead trolley
10 wires, but not operated upon rails.

11 "Motorcycle." A motor vehicle having a seat or saddle for
12 the use of the rider and designed to travel on not more than
13 three wheels in contact with the ground.

14 "Motor-driven cycle." A motorcycle, including a motor
15 scooter, with a motor which produces not to exceed five brake
16 horsepower, and every bicycle with motor attached.

17 "Nondivisible." Incapable of being divided into parts or
18 dismembered without substantially damaging its usefulness or
19 value.

20 "Nonresident." A person who is not a resident of this
21 Commonwealth.

22 "Number." When used in the context of identification means a
23 series of numerals or letters or both, with or without a prefix
24 or suffix.

25 "Official traffic-control devices." Signs, signals, markings
26 and devices not inconsistent with this title placed or erected
27 by authority of a public body or official having jurisdiction,
28 for the purpose of regulating, warning or guiding traffic.

29 "Operating privilege." The privilege to apply for and obtain
30 a license to use as well as the privilege to use a vehicle on a

1 highway as authorized in this title, but not a contract,
2 property right or civil right.

3 "Overtime parking." The continuous parking of a vehicle for
4 a period of time exceeding the maximum period established by
5 law.

6 "Owner." A person, other than a lienholder, having the
7 property right in or title to a vehicle. The term includes a
8 person entitled to the use and possession of a vehicle subject
9 to a security interest in another person, but excludes a lessee
10 under a lease not intended as security.

11 "Park" or "parking."

12 (1) When permitted, means the temporary storing of a
13 vehicle, whether occupied or not, off the roadway.

14 (2) When prohibited, means the halting of a vehicle,
15 whether occupied or not, except momentarily for the purpose
16 of and while actually engaged in loading or unloading
17 property or passengers.

18 "Passenger car." A motor vehicle, except a motorcycle or
19 motor-driven cycle, designed for carrying ten passengers or less
20 and primarily used for the transportation of persons.

21 "Pedestrian." A natural person afoot.

22 "Pennsylvania Turnpike." The highway system owned and
23 operated by the Pennsylvania Turnpike Commission.

24 "Person." A natural person, firm, copartnership, association
25 or corporation.

26 "Police officer." A natural person authorized to direct or
27 regulate traffic and to make arrests for violations of traffic
28 regulations.

29 "Private road or driveway." A way or place in private
30 ownership and used for vehicular travel by the owner and those

1 having express or implied permission from the owner, but not by
2 other persons.

3 "Proof of insurance." A card issued by an insurance carrier
4 in compliance with regulations of the Insurance Commissioner
5 evidencing that a vehicle is covered by the insurance required
6 in section 104(a) of the act of July 19, 1974 (P.L.489, No.176),
7 known as the "Pennsylvania No-fault Motor Vehicle Insurance Act"
8 and regulations issued thereunder.

9 "Railroad grade crossing." One or more railroad tracks, but
10 not streetcar tracks, which intersect or cross a highway at the
11 same level or grade.

12 "Railroad sign or signal." A sign, signal or device erected
13 by authority of a public body or official or by a railroad and
14 intended to give notice of the presence of railroad tracks or
15 the approach of a railroad train.

16 "Recall." To withdraw by formal action of the department for
17 an indefinite period the operating privilege of a person for
18 reasons of incompetency.

19 "Reconstructed vehicle." A vehicle of a type required to be
20 registered under this title materially altered from its original
21 construction by the removal, addition or substitution of
22 essential parts, new or used.

23 "Registered gross weight." The maximum gross weight at which
24 a vehicle or combination is registered in this Commonwealth to
25 operate upon a highway.

26 "Registration." The authority for a vehicle to operate on a
27 highway as evidenced by the issuance of an identifying card and
28 plate or plates.

29 "Residence district." The territory contiguous to and
30 including a highway not comprising a business district when the

1 property on the highway for a distance of 300 feet or more is in
2 the main improved with residences or residences and buildings in
3 use for business.

4 "Resident." A person dwelling permanently or continuously
5 for a period exceeding 30 consecutive days within this
6 Commonwealth, except that a person who regularly dwells in two
7 or more states shall declare residence to be in any one of the
8 states.

9 "Revoke." To terminate by formal action of the department
10 any license, registration or privilege issued or granted by the
11 department. Following a period of revocation, the license,
12 registration or privilege may not be restored except upon
13 submission and acceptance of a new application.

14 "Right-of-way." The right of one vehicle or pedestrian to
15 proceed in a lawful manner in preference to another vehicle or
16 pedestrian approaching under such circumstances of direction,
17 speed and proximity as to give rise to danger or collision
18 unless one grants precedence to the other.

19 "Roadway." That portion of a highway improved, designed or
20 ordinarily used for vehicular travel, exclusive of the berm or
21 shoulder. In the event a highway includes two or more separate
22 roadways the term "roadway" refers to each roadway separately
23 but not to all such roadways collectively.

24 "Safety zone." The area or space officially set apart within
25 a roadway for the exclusive use of pedestrians.

26 "Salvor." A person engaged in the business of acquiring
27 abandoned vehicles for the purpose of taking apart, junking,
28 selling, rebuilding or exchanging the vehicles or parts thereof.

29 "School bus." A motor vehicle which complies with the color
30 and lighting identification requirements of section 4552

1 (relating to general requirements for school buses).

2 "Secretary." The Secretary of Transportation of the
3 Commonwealth.

4 "Security interest." An interest in a vehicle reserved or
5 created by agreement which secures payment or performance of an
6 obligation. The term includes the interest of a lessor under a
7 lease intended as security. A security interest is perfected
8 when it is valid against third parties generally, subject only
9 to specific statutory exceptions.

10 "Semi-trailer." A vehicle designed to be towed by a motor
11 vehicle and so constructed that some part of its weight rests
12 upon or is carried by the towing vehicle.

13 "Shall." Indicates that an action is required or prohibited.

14 "Should." Indicates that an action is advisable but not
15 required.

16 "Sidewalk." That portion of a street between curb lines, or
17 the lateral lines of a roadway, and the adjacent property lines,
18 intended for use by pedestrians.

19 "Special mobile equipment." Vehicles not designed or used
20 primarily for the transportation of persons or property and only
21 incidentally operated or moved over a highway, including but not
22 limited to: ditch digging apparatus, well boring apparatus;
23 earth moving and road construction and maintenance machinery,
24 such as asphalt spreaders, bituminous mixers, bucket loaders,
25 snowplows, ditchers, graders, finishing machines, road rollers,
26 scarifiers, earth moving carry-alls, scrapers, power shovels and
27 drag lines; and self-propelled cranes and tractors, other than
28 truck tractors. The term does not include house trailers; dump
29 trucks; truck-mounted transit mixers, cranes or shovels; or
30 other vehicles designed for the transportation of persons or

1 property to which machinery has been attached.

2 "Specially constructed vehicle." A vehicle of a type
3 required to be registered not originally constructed under a
4 distinctive name, make, model or type by a generally recognized
5 manufacturer of vehicles and not materially altered from its
6 original construction.

7 "Stand" or "standing." When prohibited, means the halting of
8 a vehicle, whether occupied or not, except momentarily for the
9 purpose of and while actually engaged in receiving or
10 discharging passengers.

11 "State." A state, territory or possession of the United
12 States, the District of Columbia, the Commonwealth of Puerto
13 Rico or a province of Canada.

14 "State designated highway." A highway or bridge on the
15 system of highways and bridges over which the department has
16 assumed or has been legislatively given jurisdiction.

17 "Stop" or "stopping."

18 (1) When required, means complete cessation from
19 movement.

20 (2) When prohibited, means any halting even momentarily
21 of a vehicle, whether occupied or not, except when necessary
22 to avoid conflict with other traffic or in compliance with
23 the directions of a police officer or traffic-control sign or
24 signal.

25 "Streetcar." A car other than a railroad train for
26 transporting persons or property and operated upon rails.

27 "Suspend." To withdraw temporarily by formal action of the
28 department any license, registration or privilege issued or
29 granted by the department. Following a period of suspension, the
30 department shall restore the license, registration or privilege.

1 "Through highway." A highway or portion of a highway on
2 which vehicular traffic is given preferential right-of-way, and
3 at the entrances to which vehicular traffic from intersecting
4 highways is required by law to yield the right-of-way to
5 vehicles on the through highway in obedience to a stop sign,
6 yield sign or other official traffic-control device when the
7 signs or devices are erected as provided in this title.

8 "Tire width." The linear distance between the exteriors of
9 the sidewalls of an uninflated tire, excluding elevations due to
10 labeling, decoration or protective sidebands.

11 "Traffic." Pedestrians, ridden or herded animals, vehicles,
12 streetcars and other conveyances, whether singly or together,
13 using any highway for purposes of travel.

14 "Traffic-control signal." A device, whether manually,
15 electrically or mechanically operated, by which traffic is
16 alternately directed to stop and permitted to proceed.

17 "Trailer." A vehicle designed to be towed by a motor
18 vehicle.

19 "Truck." A motor vehicle designed, used or maintained
20 primarily for the transportation of property.

21 "Truck-camper." A structure designed, used or maintained
22 primarily to be loaded or affixed to a motor vehicle to provide
23 a mobile dwelling, sleeping place, office or commercial space.

24 "Truck tractor." A motor vehicle designed and used primarily
25 for drawing other vehicles and not so constructed as to carry a
26 load other than a part of the weight of the vehicle and load so
27 drawn.

28 "Urban district." The territory contiguous to and including
29 any street which is built up with structures devoted to
30 business, industry or dwelling houses situated at intervals of

1 less than 100 feet for a distance of a quarter of a mile or
2 more.

3 "Urban mass transportation system." A person holding a
4 certificate of the Public Utility Commission or a municipality
5 authority, port authority or transportation authority
6 established under the laws of this Commonwealth that transports
7 persons on schedule over fixed routes and derives over 80% of
8 their revenue from scheduled operations within the county in
9 which they have their principal place of business, or contiguous
10 counties.

11 "Valueless except for junk." A vehicle which is inoperable
12 or unable to meet the vehicle equipment and inspection standards
13 under Part IV (relating to vehicle characteristics) to the
14 extent that the cost of repairs would exceed the value of the
15 repaired vehicle.

16 "Vehicle." Every device in, upon or by which any person or
17 property is or may be transported or drawn upon a highway,
18 except devices moved by human power or used exclusively upon
19 rails or tracks.

20 "Vehicle identification number." A number consisting of
21 Arabic numerals or Roman numerals or both which the manufacturer
22 assigns to a vehicle for identification purposes, or, in the
23 absence of a manufacturer assigned number, which the department
24 assigns to a vehicle for identification purposes.

25 "Wrecker." A motor vehicle designed or constructed and used
26 for the towing of abandoned or disabled vehicles.

27 § 103. Uniformity of interpretation.

28 This title shall be so interpreted and construed as to
29 effectuate its general purpose to make uniform the law
30 throughout this Commonwealth and all political subdivisions.

1 § 104. Continuation of existing law.

2 The provisions of this title, so far as they are the same as
3 those of existing law, are intended as a continuation of such
4 laws and not as new enactments.

5 PART II

6 TITLE, REGISTRATION AND LICENSING

7 Chapter

8 11. Certificate of Title and Security Interests

9 13. Registration of Vehicles

10 15. Licensing of Drivers

11 17. Financial Responsibility

12 19. Fees (Reserved)

13 CHAPTER 11

14 CERTIFICATE OF TITLE AND SECURITY INTERESTS

15 Subchapter

16 A. Certificate of Title

17 B. Security Interests

18 SUBCHAPTER A

19 CERTIFICATE OF TITLE

20 Sec.

21 1101. Certificate of title required.

22 1102. Vehicles not requiring certificate of title.

23 1103. Application for certificate of title.

24 1104. Examination of records upon receipt of application.

25 1105. Issuance of certificate of title.

26 1106. Content and effect of certificate of title.

27 1107. Delivery of certificate of title.

28 1108. Registration without certificate of title or with bond.

29 1109. Refusing issuance of certificate of title.

30 1110. Duplicate certificate of title to replace original.

1 1111. Transfer of ownership of vehicle.
2 1112. Disclosure of odometer reading and tampering with
3 odometer.
4 1113. Transfer to or from manufacturer or dealer.
5 1114. Transfer of vehicle by operation of law.
6 1115. Correction of certificate of title.
7 1116. Issuance of new certificate following transfer.
8 1117. Vehicle destroyed or junked.
9 1118. Suspension and cancellation of certificate of title.
10 1119. Application for certificate of title by agent.

11 § 1101. Certificate of title required.

12 (a) General rule.--Except as provided in section 1102
13 (relating to vehicles not requiring certificate of title), every
14 owner of a vehicle which is in this Commonwealth and for which
15 no certificate of title has been issued by the department shall
16 make application to the department for a certificate of title of
17 the vehicle.

18 (b) Registration without certificate prohibited.--The
19 department shall not register or renew the registration of a
20 vehicle unless a certificate of title has been issued by the
21 department to the owner or an application for a certificate of
22 title has been delivered by the owner to the department.

23 (c) Penalty.--Failure to obtain a certificate of title as
24 required by law is a summary offense.

25 § 1102. Vehicles not requiring certificate of title.

26 No certificate of title need be obtained for:

27 (1) A vehicle owned by the United States unless it is
28 registered in this Commonwealth.

29 (2) A golf cart, motor-driven cycle, go-cart or other
30 similar vehicle unless it is registered in this Commonwealth.

1 (3) A new vehicle owned by a manufacturer or registered
2 dealer before and until sale.

3 (4) A vehicle owned by a nonresident of this
4 Commonwealth and not required by law to be registered in this
5 Commonwealth.

6 (5) A vehicle owned by a resident legally required to be
7 registered in another state, based and used principally
8 outside of this Commonwealth, and not required by law to be
9 registered in this Commonwealth.

10 (6) A vehicle regularly engaged in the interstate
11 transportation of persons or property for which a currently
12 effective certificate of title has been issued in another
13 state.

14 (7) A vehicle moved solely by animal power.

15 (8) Implements of husbandry.

16 (9) Special mobile equipment.

17 (10) Mobile homes.

18 § 1103. Application for certificate of title.

19 (a) Contents of application.--Application for a certificate
20 of title shall be made upon a form prescribed and furnished by
21 the department and shall contain a full description of the
22 vehicle, the vehicle identification number, date of purchase,
23 the actual or bona fide name and address of the owner, a
24 statement of the title of applicant, together with any other
25 information or documents the department reasonably requires to
26 identify the vehicle and to enable the department to determine
27 whether the owner is entitled to a certificate of title and the
28 amount and description of any security interests in the vehicle.

29 (b) Signing and filing of application.--Application for a
30 certificate of title shall be made within ten days of the sale

1 or transfer of a vehicle or its entry into this Commonwealth
2 from another jurisdiction, whichever is later. The application
3 shall be accompanied by the fee prescribed in this title, and
4 any tax payable by the applicant under the laws of this
5 Commonwealth in connection with the acquisition or use of a
6 vehicle or evidence to show that the tax has been collected. The
7 application shall be signed and verified by oath or affirmation
8 by the applicant if a natural person; in the case of an
9 association or partnership, by a member or a partner; and in the
10 case of a corporation, by an executive officer or some person
11 specifically authorized by the corporation to sign the
12 application.

13 (c) Manufacturer's Statement of Origin for new vehicles.--If
14 the application refers to a new vehicle, it shall be accompanied
15 by the Manufacturer's Statement of Origin for the vehicle.

16 (d) Vehicles purchased from dealers.--If the application
17 refers to a vehicle purchased from a dealer, the dealer shall
18 mail or deliver the application to the department within ten
19 days of the date of purchase. The application shall contain the
20 names and addresses of any lienholders in order of priority, the
21 amounts and the dates of the security agreements, and be
22 assigned by the dealer to the owner and signed by the owner. Any
23 dealer violating this subsection is guilty of a summary offense
24 and shall, upon conviction, be sentenced to pay a fine of \$50
25 for each violation.

26 (e) Out-of-state vehicles.--If the application refers to a
27 vehicle last previously titled or registered in another state or
28 country, the following information shall be contained in or
29 accompany the application or be forwarded in support of the
30 application as required by the department:

1 (1) Any certificate of title issued by the other state
2 or country.

3 (2) A tracing of the vehicle identification number taken
4 from the official number plate or, where it is impossible to
5 secure a legible tracing, the verification of a person
6 authorized by the department that the vehicle identification
7 number of the vehicle has been inspected and found to conform
8 to the description given in the application.

9 (3) Any other information and documents the department
10 reasonably requires to establish the ownership of the vehicle
11 and the existence or non-existence of security interests in
12 the vehicle.

13 (f) Foreign vehicles owned by military personnel.--If the
14 application refers to a vehicle last previously registered in
15 another country by a person on active duty in the armed forces
16 of the United States, the department may accept a complete form
17 issued by the United States Department of Defense as evidence of
18 ownership.

19 (g) Specially constructed or reconstructed vehicles.--If the
20 vehicle to be titled is a specially constructed or reconstructed
21 vehicle, that fact shall be stated in the application. The
22 department may promulgate rules and regulations pertaining to
23 the titling of specially constructed or reconstructed vehicles.

24 § 1104. Examination of records upon receipt of application.

25 The department, upon receiving an application for a
26 certificate of title, shall check the vehicle identification
27 number shown in the application against the records of vehicles
28 required to be maintained under section 1105 (relating to
29 issuance of certificate of title) and against the record of
30 stolen vehicles required to be maintained under section 7114

1 (relating to records of stolen vehicles). If the record
2 indicates that the vehicle is stolen, the application and
3 accompanying documents shall be retained by the department
4 pending investigation.

5 § 1105. Issuance of certificate of title.

6 (a) General rule.--The department shall file each
7 application received and, when satisfied as to the genuineness
8 and regularity of the application and that the applicant is
9 entitled to the issuance of a certificate of title, shall issue
10 a certificate of title for the vehicle. The department shall use
11 reasonable diligence in ascertaining whether or not the facts
12 stated in the application are true.

13 (b) Maintenance of records.--The department shall maintain a
14 record of all certificates of title issued by the department as
15 follows:

16 (1) Under a distinctive title number assigned to the
17 vehicle.

18 (2) Under the vehicle identification number.

19 (3) Alphabetically, under the name of the owner.

20 (4) In the discretion of the department, by any other
21 method determined by the department.

22 § 1106. Content and effect of certificate of title.

23 (a) Vehicle identification and encumbrances.--A certificate
24 of title shall contain such description and other evidence of
25 identification of the vehicle for which it is issued as the
26 department may deem necessary, together with a statement of any
27 liens or encumbrances including the names and addresses of the
28 holder or holders of the liens or encumbrances.

29 (b) Indication of special prior use.--No person shall assign
30 a certificate of title to any vehicle having seating capacity

1 for nine or less occupants which has been used as a taxicab or
2 for the carrying of passengers for hire or has ever been offered
3 to the public for hire or rent, or any vehicle used as a police
4 car, unless the certificate clearly contains notice that the
5 vehicle has been so used. Indication of such use shall be deemed
6 part of the description of the vehicle. Any person violating
7 this subsection is guilty of a summary offense and shall, upon
8 summary conviction, be sentenced to pay a fine of \$50.

9 (c) Certificate as evidence and notice.--A certificate of
10 title issued by the department is prima facie evidence of the
11 facts appearing on the certificate. The certificate shall be
12 adequate notice to the Commonwealth, creditors, subsequent
13 lienholders and purchasers that a lien against the vehicle
14 exists.

15 § 1107. Delivery of certificate of title.

16 The certificate of title shall be mailed to the first
17 lienholder or encumbrancer named in the certificate or, if none,
18 to the owner.

19 § 1108. Registration without certificate of title or with bond.

20 (a) General rule.--If the department is not satisfied as to
21 the ownership of the vehicle or that there are no undisclosed
22 security interests in the vehicle, the department may register
23 the vehicle but shall do one of the following:

24 (1) Withhold issuance of a certificate of title until
25 the applicant presents documents reasonably sufficient to
26 satisfy the department as to the ownership by the applicant
27 of the vehicle and that there are no undisclosed security
28 interests in the vehicle.

29 (2) As a condition of issuing a certificate of title,
30 require the applicant to file with the department a bond in

1 the form prescribed by the department and executed by the
2 applicant, and either accompanied by the deposit of cash with
3 the department or also executed by a person authorized to
4 conduct a surety business in this Commonwealth.

5 (b) Conditions and disposition of bond.--The bond shall be
6 in an amount equal to one and one-half times the value of the
7 vehicle as determined by the department and conditioned to
8 indemnify any prior owner and lienholder and any subsequent
9 purchaser of the vehicle or person acquiring any security
10 interest in the vehicle, and their respective successors in
11 interest, against any expense, loss or damage, including
12 reasonable attorney's fees, by reason of the issuance of the
13 certificate of title of the vehicle or on account of any defect
14 in or undisclosed security interest upon the right, title and
15 interest of the applicant in and to the vehicle. Any such
16 interested person has a right of action to recover on the bond
17 for any breach of the conditions of the bond, but the aggregate
18 liability of the surety to all persons shall not exceed the
19 amount of the bond. The bond, and any deposit accompanying the
20 bond, shall be returned at the end of three years or prior
21 thereto if the vehicle is no longer registered in this
22 Commonwealth and the currently valid certificate of title is
23 surrendered to the department, unless the department has been
24 notified of the pendency of an action to recover on the bond.

25 § 1109. Refusing issuance of certificate of title.

26 The department may refuse issuance of a certificate of title
27 when it has reasonable grounds to believe:

28 (1) That any required fee has not been paid.

29 (2) That any taxes payable under the laws of this

30 Commonwealth on or in connection with, or resulting from, the

1 acquisition or use of the vehicle have not been paid.

2 (3) That the applicant is not the owner of the vehicle.

3 (4) That the application contains a false or fraudulent
4 statement.

5 (5) That the applicant has failed to furnish required
6 information or documents or any additional information the
7 department reasonably requires.

8 § 1110. Duplicate certificate of title to replace original.

9 (a) Application for duplicate.--In the event of a lost,
10 destroyed, defaced, stolen or illegible certificate of title,
11 application for a duplicate may be made by furnishing
12 information satisfactory to the department upon a form
13 prescribed and furnished by the department. The form shall be
14 signed by the first lienholder or, if none, the owner or legal
15 representative of the owner, verified by oath or affirmation of
16 the applicant, accompanied by the fee provided in this title.

17 (b) Status of original and duplicate.--If the original
18 certificate of title is found after the duplicate is issued, the
19 original title shall be returned to the department with an
20 explanation. Only the duplicate title is valid once issued.
21 Subsequent transfer of ownership can be made only on the
22 duplicate.

23 § 1111. Transfer of ownership of vehicle.

24 (a) Duty of transferor.--In the event of the sale or
25 transfer of the ownership of a vehicle within this Commonwealth,
26 the owner shall execute an assignment and warranty of title to
27 the transferee in the space provided on the certificate or as
28 the department prescribes, sworn to before a notary public or
29 other officer empowered to administer oaths, and deliver the
30 certificate to the transferee at the time of the delivery of the

1 vehicle.

2 (b) Duty of transferee.--Except as otherwise provided in
3 section 1113 (relating to transfer to or from manufacturer or
4 dealer), the transferee shall, with ten days of the assignment
5 or reassignment of the certificate of title, apply for a new
6 title by presenting to the department the properly completed
7 certificate of title, sworn to before a notary public or other
8 officer empowered to administer oaths, and accompanied by such
9 forms as the department may require.

10 (c) Any person violating subsection (a) shall be guilty of a
11 summary offense and shall, upon conviction, be sentenced to pay
12 a fine of \$100 for a first offense; and shall be guilty of a
13 misdemeanor of the third degree for a second or subsequent
14 offense and shall, upon conviction, be sentenced to pay a fine
15 of not less than \$300.

16 § 1112. Disclosure of odometer reading and tampering with
17 odometer.

18 (a) Statement by transferor of odometer reading.--Each
19 transferor of a motor vehicle shall furnish to the transferee at
20 the time of transfer a written statement disclosing the odometer
21 reading of the vehicle at the time of transfer and the date of
22 the transfer. The statement shall be signed by the transferor on
23 such form as the department may prescribe.

24 (b) Statement when actual mileage unknown.--If the
25 transferor knows that the odometer reading differs from the
26 number of miles the vehicle has actually traveled, and that the
27 difference is greater than that caused by odometer calibration
28 error, the transferor shall include a statement that the actual
29 vehicle mileage is unknown.

30 (c) Tampering with odometer.--Except for purposes of repair

1 or replacement, it is unlawful for any person to disconnect,
2 turn back, tamper with or reset an odometer of any motor
3 vehicle.

4 (d) Exceptions.--The transferor of the following types of
5 motor vehicles need not disclose the odometer reading of the
6 vehicle:

7 (1) A motor vehicle having a gross vehicle weight rating
8 of more than 16,000 pounds.

9 (2) A motor vehicle 25 years or older.

10 (3) A motor vehicle transferred between dealers prior to
11 first retail sale.

12 (e) Penalties.--Any person violating subsection (a) or (b)
13 is guilty of a summary offense and shall, upon conviction, be
14 sentenced to pay a fine of \$100. Any person violating subsection
15 (c) is guilty of a summary offense and shall, upon conviction,
16 be sentenced to pay a fine of \$300.

17 § 1113. Transfer to or from manufacturer or dealer.

18 (a) Transfer to manufacturer or dealer.--When the purchaser
19 or transferee of a vehicle is a manufacturer or registered
20 dealer who holds the vehicle for resale, a certificate of title
21 need not be applied for as provided for in section 1111
22 (relating to transfer of ownership of vehicle) but the
23 manufacturer or dealer shall, within ten days from the date of
24 assignment of the certificate of title to the manufacturer or
25 dealer, notify the department, upon a form prescribed and
26 furnished by the department, of the acquisition of the vehicle.
27 When the transfer of a vehicle is from one manufacturer or
28 dealer to another manufacturer or dealer, notification as
29 authorized in this section may not be used in excess of three
30 consecutive transactions after which time an application shall

1 be made for a certificate of title.

2 (b) Execution and display of notice of transfer.--The
3 manufacturer or dealer making notification as to any vehicle
4 acquired pursuant to subsection (a) shall execute at least three
5 copies, the original of which shall be forwarded to the
6 department, one copy to accompany the vehicle on any subsequent
7 transfer and one copy to be retained by the manufacturer or
8 dealer for at least one year after a subsequent transfer, to be
9 exhibited, with the assigned certificate of title, upon request
10 of any police officer or authorized department employee.

11 (c) Transfer from manufacturer or dealer.--The manufacturer
12 or dealer, upon transferring his interest in the vehicle, shall,
13 except as otherwise provided in this section when the transferee
14 is another manufacturer or dealer, execute an assignment and
15 warranty of title to the transferee in the space provided on the
16 certificate or as the department prescribes. The transferee
17 shall complete the application for certificate of title in the
18 name of the transferee. The certificate of title and any other
19 required forms shall be forwarded by the dealer or manufacturer
20 to the department within ten days of the transfer.

21 (d) Exception for repossessed vehicles.--This section does
22 not apply to a vehicle repossessed upon default of performance
23 of a lease, contract of conditional sale or similar agreement.

24 (e) Penalty.--Any manufacturer or dealer violating any of
25 the provisions of this section is guilty of a summary offense
26 and shall, upon conviction, be sentenced to pay a fine of \$50
27 for each violation.

28 § 1114. Transfer of vehicle by operation of law.

29 (a) General rule.--If the interest of an owner in a vehicle
30 passes to another other than by voluntary transfer, the

1 transferee shall, except as otherwise provided, promptly mail or
2 deliver to the department the last certificate of title, if
3 available, and shall apply for a new certificate of title on a
4 form prescribed and furnished by the department. The application
5 shall be accompanied by such instruments or documents of
6 authority, or certified copies thereof, as may be sufficient or
7 required by law to evidence or effect a transfer of title or
8 interest in or to chattels in such case.

9 (b) Transfer to surviving spouse.--Transfer of a certificate
10 of title to a surviving spouse, or any person designated by the
11 spouse, may be made without the necessity of filing for letters
12 of administration notwithstanding the fact that there are minor
13 children surviving the decedent provided the surviving spouse
14 files an affidavit that all the debts of the decedent have been
15 paid.

16 (c) Surrender of certificate.--A person holding a
17 certificate of title whose interest in a vehicle has been
18 extinguished or transferred other than by voluntary transfer
19 shall immediately surrender the certificate of title to the
20 person to whom the right to possession of the vehicle has
21 passed. Upon request of the department, such person shall mail
22 or deliver the certificate to the department. Delivery of the
23 certificate pursuant to the request of the department does not
24 affect the rights of the person surrendering the certificate.

25 § 1115. Correction of certificate of title.

26 (a) General rule.--When any certificate of title has been
27 issued in error to a person not entitled to the certificate or
28 contains incorrect information or information has been omitted
29 from the certificate, the department shall notify in writing the
30 person to whom the certificate has been issued or delivered and

1 such person shall immediately return the certificate of title
2 within 48 hours, together with any other information necessary
3 for the adjustment of the department records, and, upon receipt
4 of the certificate, the department shall cancel the certificate
5 and issue a corrected certificate of title.

6 (b) Change in material information on certificate.--If any
7 material information on the certificate of title is changed or
8 different from the information originally set forth, the owner
9 shall immediately inform the department and apply for a
10 corrected certificate of title. For the purposes of this
11 subsection, a change of address shall not be deemed material.

12 (c) Seizure of certificate on conviction.--Upon summary
13 conviction for violation of the provisions of this section, the
14 department may delegate authority to any department employee or
15 police officer to seize the certificate of title.

16 § 1116. Issuance of new certificate following transfer.

17 (a) Voluntary transfer.--The department, upon receipt of a
18 properly assigned certificate of title with an application for a
19 new certificate of title, the required fee and any other
20 required documents and articles, shall issue a new certificate
21 of title in the name of the transferee as owner and mail it to
22 the first lienholder named in the certificate or, if none, to
23 the owner.

24 (b) Involuntary transfer.--The department, upon receipt of
25 an application for a new certificate of title by a transferee
26 other than by voluntary transfer, on a form prescribed and
27 furnished by the department together with proper proof
28 satisfactory to the department of the transfer, the required fee
29 and any other required documents and articles, shall issue a new
30 certificate of title in the name of the transferee as owner.

1 (c) Filing and retention of surrendered certificate.--The
2 department shall file and retain for five years every
3 surrendered certificate of title, or a copy, in such a manner as
4 to permit the tracing of title of the vehicle.

5 § 1117. Vehicle destroyed or junked.

6 (a) Application for certificate of junk.--Any owner who
7 transfers a vehicle as scrap, or to be destroyed or junked,
8 shall assign the certificate of title to the person to whom the
9 vehicle is transferred. The transferee shall return the assigned
10 certificate of title to the department immediately with an
11 application for a certificate of junk upon a form furnished and
12 prescribed by the department.

13 (b) Issuance and effect of certificate of junk.--Upon proper
14 application for a certificate of junk, the department shall
15 issue to the transferee a certificate of junk which shall
16 authorize the holder to possess, transport, or by endorsement,
17 transfer ownership in the junked vehicle, and a certificate of
18 title shall not again be issued for the vehicle except upon
19 application containing the information the department requires,
20 accompanied by any necessary documents or articles.

21 (c) Vehicles with defective or lost title.--Any person on
22 whose property is located a vehicle which is valueless except
23 for junk and which has a faulty, lost or destroyed title may
24 transfer the vehicle to a salvor or to a salvage program
25 operated by a political subdivision for removal to a suitable
26 place of storage or for scrapping, provided the salvor or
27 salvage program complies with the requirements of section 7309
28 (relating to junking of vehicles valueless except for junk),
29 except that the report to the department that the vehicle is
30 valueless except for junk shall be verified by the transferor of

1 the vehicle instead of the police department. The transferee
2 shall return the assigned certificate of title to the department
3 immediately with an application for certificate of junk upon a
4 form furnished and prescribed by the department.

5 § 1118. Suspension and cancellation of certificate of title.

6 (a) Return of new vehicle.--The department may cancel the
7 certificate of title issued for a new vehicle when it is shown
8 by satisfactory evidence that the vehicle has been returned to
9 the manufacturer or dealer from whom obtained.

10 (b) Vehicles sold to nonresidents or junked.--The department
11 may cancel certificates of title for vehicles sold to residents
12 of other states or foreign countries when the vehicle is to be
13 registered in the other jurisdiction, or for abandoned or
14 destroyed vehicles authorized to be junked as provided in this
15 subchapter.

16 (c) Surrender of Pennsylvania certificate in other
17 jurisdiction.--The department, upon receipt of notification from
18 another state or foreign country that a certificate of title
19 issued by the department has been surrendered by the owner in
20 conformity with the laws of the other state or foreign country,
21 may cancel the certificate of title.

22 (d) Surrender of foreign certificate to department.--When an
23 owner surrenders a certificate of title from another state or
24 foreign country to the department, the department shall notify
25 the state or foreign country in order that the certificate of
26 title may be cancelled or otherwise disposed of in accordance
27 with the law of the other jurisdiction.

28 (e) Conviction for misstatement of facts.--The department,
29 upon receipt of certification from the clerk of any court
30 showing conviction for a misstatement of facts on any

1 application for an original or duplicate certificate of title or
2 any transfer of a certificate of title, shall forthwith suspend
3 the certificate of title and require that the certificate be
4 returned immediately to the department, whereupon the department
5 may cancel the certificate.

6 (f) Nonpayment of fee.--The department may suspend a
7 certificate of title when a check received in payment of the fee
8 is not paid on demand or when the fee for the certificate is
9 unpaid and owing.

10 (g) Security interest unaffected by suspension or
11 cancellation.--Suspension or cancellation of a certificate of
12 title does not, in itself, affect the validity of a security
13 interest noted on the certificate.

14 (h) Surrender of certificate.--The department may request
15 the return of certificates of title which have been suspended or
16 cancelled. The owner or person in possession of the
17 certification of title shall immediately mail or deliver the
18 certificate to the department.

19 § 1119. Application for certificate of title by agent.

20 (a) Authorization to make application.--No person shall make
21 application for a certificate of title when acting for another
22 person unless authorization to make the application is in effect
23 and is verified by oath or affirmation of the other person, made
24 not more than 15 days before the application is received by the
25 department.

26 (b) Certificate not to be assigned in blank.--No person
27 shall make application for, or assign or physically possess, a
28 certificate of title, or direct or allow another person in his
29 employ or control to make application for, or assign or
30 physically possess, a certificate of title, unless the name of

1 the transferee is placed on the assignment of certificate of
2 title simultaneously with the name of the transferor.

3 (c) Persons authorized to hold certificate.--No person shall
4 receive, obtain or hold a certificate of title recorded in the
5 name of another person for the other person who is not in the
6 regular employ of, or not a member of the family of, the other
7 person, unless the person receiving, obtaining or holding the
8 certificate of title has a valid undischarged lien recorded in
9 the department against the vehicle represented by the
10 certificate of title.

11 (d) Penalty.--Any person violating any of the provisions of
12 this section is guilty of a summary offense and shall, upon
13 conviction, be sentenced to pay a fine of \$100.

14 SUBCHAPTER B

15 SECURITY INTERESTS

16 Sec.

17 1131. Applicability of subchapter.

18 1132. Perfection of security interest.

19 1133. Creation of security interest for titled vehicle.

20 1134. Assignment by lienholder of security interest.

21 1135. Satisfaction of security interest.

22 1136. Duty of lienholder to disclose pertinent information.

23 1137. Subchapter exclusive for perfecting security interest.

24 1138. Duration of lien recorded on certificate of title.

25 § 1131. Applicability of subchapter.

26 This subchapter does not apply to or affect:

27 (1) A lien given by statute or rule of law to a supplier
28 of services or materials for the vehicle.

29 (2) A lien given by statute to the United States, the
30 Commonwealth or any political subdivision.

1 (3) A security interest in a vehicle created by a
2 manufacturer or dealer who holds the vehicle for sale.

3 (4) Any vehicle for which a certificate of title is not
4 required under this chapter.

5 § 1132. Perfection of security interest.

6 (a) Validity of unperfected interest.--Unless excepted by
7 section 1131 (relating to applicability of subchapter), a
8 security interest in a vehicle of a type for which a certificate
9 of title is required is not valid against creditors of the owner
10 or subsequent transferees or lienholders of the vehicle unless
11 perfected as provided in this subchapter.

12 (b) Method and time of perfection.--A security interest is
13 perfected by the delivery to the department of the existing
14 certificate of title, if any; an application for a certificate
15 of title upon a form prescribed by the department containing the
16 name and address of the lienholder; and any other information
17 regarding the security interest as may be reasonably required
18 and the required fee. It is perfected as of the time of its
19 creation if the delivery is completed within ten days
20 thereafter; otherwise as of the time of the delivery.

21 (c) Prior security interest in vehicle from another
22 jurisdiction.--If a vehicle is subject to a security interest
23 when brought into this Commonwealth, the validity of the
24 security interest is determined by the law of the jurisdiction
25 where the vehicle was located when the security interest
26 attached subject to the following:

27 (1) If the parties understood at the time the security
28 interest attached that the vehicle would be kept in this
29 Commonwealth and it was brought into this Commonwealth within
30 30 days thereafter for purposes other than transportation

1 through this Commonwealth, the validity of the security
2 interest in this Commonwealth is determined by the law of
3 this Commonwealth.

4 (2) If the security interest was perfected under the law
5 of the jurisdiction where the vehicle was located when the
6 security interest attached, the following rules apply:

7 (i) If the name of the lienholder is shown on an
8 existing certificate of title issued by the jurisdiction,
9 the security interest continues perfected in this
10 Commonwealth.

11 (ii) If the name of the lienholder is not shown on
12 an existing certificate of title issued by that
13 jurisdiction, the security interest continues perfected
14 in this Commonwealth for four months after a first
15 certificate of title of the vehicle is issued in this
16 Commonwealth, and, thereafter if, within the four-month
17 period, it is perfected in this Commonwealth. The
18 security interest may also be perfected in this
19 Commonwealth after the expiration of the four-month
20 period in which case perfection dates from the time of
21 perfection in this Commonwealth.

22 (3) If the security interest was not perfected under the
23 law of the jurisdiction where the vehicle was located when
24 the security interest attached, it may be perfected in this
25 Commonwealth in which case perfection dates from the time of
26 perfection in this Commonwealth.

27 (4) A security interest may be perfected under paragraph
28 (2)(ii) or paragraph (3) either as provided in subsection (b)
29 or by the lienholder delivering to the department a notice of
30 security interest in the form the department prescribes

1 together with the required fee.

2 § 1133. Creation of security interest for titled vehicle.

3 (a) Application by owner.--If an owner creates a security
4 interest in a vehicle for which a certificate of title has been
5 issued by the Commonwealth, the owner shall immediately execute
6 an application on a form prescribed by the department, naming
7 the lienholder on the certificate, showing the name and address
8 of the lienholder and the date of the security agreement. The
9 certificate of title, together with the application and the
10 required fee, shall be mailed or delivered to the department.

11 (b) Where certificate is in possession of lienholder.--Upon
12 request of the owner or subordinate lienholder, a lienholder in
13 possession of the certificate of title shall mail or deliver the
14 certificate to the department or, upon receipt from the
15 subordinate lienholder of the application of the owner and the
16 required fee, mail or deliver them to the department with the
17 certificate. The delivery of the certificate does not affect the
18 rights of the first lienholder under his security agreement.

19 (c) Endorsement and delivery of certificate.--Upon receipt
20 of the certificate of title, application and the required fees,
21 the department shall endorse on the existing certificate of
22 title, or on a new certificate which it then issues, the name
23 and address of all secured parties and shall mail the
24 certificate of title to the first lienholder named in the
25 certificate.

26 § 1134. Assignment by lienholder of security interest.

27 (a) General rule.--A lienholder may assign, absolutely or
28 otherwise, his security interest in the vehicle to a person
29 other than the owner without affecting the interest of the owner
30 or the validity of the security interest but any person without

1 notice of the assignment is protected in dealing with the
2 lienholder as the holder of the security interest and the
3 lienholder remains liable for any obligations as lienholder
4 until the assignee is named as lienholder on the certificate.

5 (b) Duty of assignee.--The assignee shall deliver to the
6 department the certificate of title and an assignment by the
7 lienholder named in the certificate of title on a form
8 prescribed and furnished by the department and accompanied by
9 the required fee.

10 § 1135. Satisfaction of security interest.

11 (a) Absence of subsequent liens.--Where there are no
12 subsequent liens upon a vehicle, the following rules apply upon
13 the satisfaction of a security interest in the vehicle:

14 (1) The outstanding certificate of title shall be mailed
15 or delivered immediately to the owner of the vehicle with
16 proper evidence of satisfaction and release or the lienholder
17 may apply for corrected title to be issued in the name of the
18 owner.

19 (2) The owner may mail or deliver the certificate of
20 title with proper evidence of satisfaction of the security
21 interest to the department which shall issue a corrected
22 certificate of title without a statement of liens or
23 encumbrances. The corrected certificate of title may also be
24 issued when the outstanding certificate cannot be returned
25 and proper evidence is produced that all recorded security
26 interests have been satisfied.

27 (b) Prior or subsequent liens.--Where there are subsequent
28 liens upon a vehicle or the lien to be released is not a first
29 lien, the following rules apply upon the satisfaction of a
30 security interest in the vehicle:

1 (1) If the lienholder whose security interest is
2 satisfied has possession of the certificate of title, the
3 lienholder shall mail or deliver the certificate of title,
4 immediately upon satisfaction, to the department with proper
5 evidence of satisfaction and release of the security
6 interest. A corrected certificate of title, containing a
7 statement of the remaining security interests on record,
8 shall be mailed by the department to the person holding the
9 next lien upon the vehicle.

10 (2) Upon the satisfaction of a security interest in a
11 vehicle for which the certificate of title is in the
12 possession of a prior lienholder, the lienholder whose
13 security interest is satisfied shall, immediately upon
14 satisfaction, mail or deliver to the owner proper evidence of
15 the satisfaction and release of the security interest. Upon
16 request of the owner and receipt of the release, the
17 lienholder in possession of the certificate of title shall
18 mail or deliver the certificate of title together with the
19 release to the department. The department shall issue a
20 corrected certificate of title which shall be mailed to the
21 first lienholder.

22 (c) Penalties.--

23 (1) Any person failing to deliver upon demand a
24 satisfied certificate of title as required by subsection
25 (a)(1) is guilty of a summary offense and shall, upon
26 conviction, for a first offense be sentenced to pay a fine of
27 \$50 and for a subsequent offense be sentenced to pay a fine
28 of \$100.

29 (2) Any person failing to return to the department a
30 certificate of title where there are other liens, for

1 correction and delivery, as required by subsection (b) is
2 guilty of a summary offense and shall, upon conviction, be
3 sentenced to pay a fine of \$100.

4 (3) No person shall be deemed guilty of a violation of
5 this section if the person delivers the certificate of title
6 to the department within five days of the satisfaction of the
7 lien.

8 § 1136. Duty of lienholder to disclose pertinent information.

9 A lienholder named in a certificate of title shall, upon
10 written request of the owner or of another lienholder named on
11 the certificate, disclose any pertinent information as to the
12 security agreement and the indebtedness secured by the
13 agreement.

14 § 1137. Subchapter exclusive for perfecting security interest.

15 The method provided in this subchapter for perfecting and
16 giving notice of security interests is exclusive.

17 § 1138. Duration of lien recorded on certificate of title.

18 (a) General rule.--A security interest recorded on a
19 certificate of title is effective for a period of five years
20 dating from the time of perfection as provided for in this
21 subchapter.

22 (b) Renewal of lien.--The effectiveness of a lien recorded
23 on the certificate of title lapses on the expiration of the
24 periods specified in subsection (a) unless a continuation
25 statement is filed within the six months immediately preceding
26 expiration. The lien may be renewed for as many one-year periods
27 as may be necessary by the holder of the security interest upon
28 a form furnished by the department, signed by the secured party
29 and accompanied by the fee provided in this title.

30 (c) Corrected certificate when lien expires.--A corrected

1 certificate of title without a statement of liens or
2 encumbrances shall be issued by the department, upon the request
3 of the owner, when the security interests recorded on the
4 certificate of title have expired.

5 CHAPTER 13

6 REGISTRATION OF VEHICLES

7 Subchapter

8 A. General Provisions

9 B. Registration Plates

10 C. Violations and Suspensions

11 SUBCHAPTER A

12 GENERAL PROVISIONS

13 Sec.

14 1301. Driving unregistered vehicle prohibited.

15 1302. Vehicles subject to registration.

16 1303. Vehicles of nonresidents exempt from registration.

17 1304. Registration criteria.

18 1305. Application for registration.

19 1306. Grounds for refusing registration.

20 1307. Period of registration.

21 1308. Issuance of registration card.

22 1309. Renewal of registration.

23 1310. Temporary registration cards and plates.

24 1311. Registration card to be signed and exhibited on demand.

25 1312. Notice of change of name or address.

26 1313. Duplicate registration cards.

27 1314. Operation of vehicle following death of owner.

28 1315. Department records.

29 1316. Sale of copies of registrations and statistics.

30 § 1301. Driving unregistered vehicle prohibited.

1 It is a summary offense for any person to drive or for an
2 owner knowingly to permit to be driven upon any highway any
3 vehicle of a type required to be registered under this chapter
4 which is not registered or for which the appropriate fee has not
5 been paid when and as required in this title.

6 § 1302. Vehicles subject to registration.

7 (a) General rule.--No vehicle shall be operated upon any
8 highway in this Commonwealth until the vehicle is properly
9 registered with the department as provided in this chapter.

10 (b) Exceptions.--Subsection (a) does not apply to the
11 following:

12 (1) Any vehicle in conformance with the provisions of
13 this chapter relating to dealers, persons registered under
14 any of the miscellaneous motor vehicle business classes or
15 nonresidents.

16 (2) Any implement of husbandry.

17 (3) Any self-propelled golf car used for the
18 transportation of persons engaged in the game of golf while
19 crossing any public highway during any game of golf.

20 (4) Any vehicle moved by special permit as provided for
21 in sections 4965 (relating to single permits for multiple
22 highway crossings) and 4966 (relating to permit for movement
23 of quarry equipment).

24 (5) Any vehicle registered and displaying plates issued
25 in a foreign country by the armed forces of the United States
26 for a period of 45 days from the date of the return of the
27 owner to the United States.

28 (6) Any vehicle owned by a resident legally required to
29 be registered in another state based and used principally
30 outside of this Commonwealth.

1 (7) Any vehicle moved solely by animal power.

2 (8) Any self-propelled invalid wheel chair.

3 (9) Any mobile home.

4 (c) Certificate of title required.--No vehicle shall be
5 registered until a certificate of title has been obtained as
6 required by Chapter 11 (relating to certificate of title and
7 security interests).

8 § 1303. Vehicles of nonresidents exempt from registration.

9 (a) General rule.--A nonresident owner of any foreign
10 vehicle may operate or permit the operation of the vehicle
11 within this Commonwealth without registering the vehicle in this
12 Commonwealth or paying any fees to the Commonwealth, provided
13 the vehicle at all times when operated in this Commonwealth is
14 duly registered and in full compliance with the registration
15 requirements of the place of residence of the owner and further
16 provided the vehicle is not:

17 (1) used for the transportation of persons for hire,
18 compensation or profit;

19 (2) regularly operated in carrying on business within
20 this Commonwealth;

21 (3) designed, used or maintained primarily for the
22 transportation of property for hire, compensation or profit;
23 or

24 (4) special mobile equipment if not also required to be,
25 and actually, registered under the laws of the place of
26 residence of the owner.

27 (b) Transportation of persons for hire, compensation or
28 profit.--Every owner of a foreign vehicle operated within this
29 Commonwealth for the transportation of persons for hire,
30 compensation or profit either regularly according to schedule or

1 for a period exceeding 30 days in the calendar year, unless
2 exempted from registration under the terms of a reciprocity
3 agreement, shall register the vehicle according to the laws of
4 this Commonwealth.

5 (c) Carrying on business in this Commonwealth.--Every
6 nonresident, including any foreign corporation, carrying on
7 business within this Commonwealth and operating in the business
8 any vehicle within this Commonwealth, unless exempted from
9 registration under the terms of a reciprocity agreement, shall
10 be required to register each such vehicle according to the laws
11 of this Commonwealth.

12 (d) Members of armed forces.--A member of the armed forces
13 of the United States who is serving on active duty in this
14 Commonwealth need not register a personal passenger vehicle in
15 this Commonwealth if the vehicle is registered in the state of
16 his residence.

17 (e) Trailer as part of registered combination.--Any motor
18 vehicle registered as a combination in this Commonwealth may tow
19 a trailer registered in another state provided:

20 (1) the owner has as many trailers registered in this
21 Commonwealth as combinations so registered; or

22 (2) the towing vehicle is being operated under a
23 permanent lease to a person meeting the requirements of
24 paragraph (1).

25 § 1304. Registration criteria.

26 (a) General rule.--The department may identify vehicles by
27 type as to weight, design, loading, use, ownership or other
28 significant characteristics for purposes of registration.

29 (b) Passenger cars.--Passenger cars, ambulances, hearses,
30 taxis and similar vehicles shall be registered for a flat fee,

1 regardless of weight.

2 (c) Trucks, truck-tractors and trailers.--The department
3 shall register trucks, truck-tractors and trailers at the gross
4 weight requested by the applicant, provided that the weight is
5 not greater than allowed in subsection (d) or less than allowed
6 in subsection (e).

7 (d) Maximum registered gross weight.--No truck, truck-
8 tractor or trailer shall be registered at a gross weight in
9 excess of:

10 (1) the limiting weights established on the basis of
11 axle load, tire load, horse power or gross weight by type of
12 vehicles;

13 (2) the gross vehicle weight rating assigned by the
14 manufacturer; or

15 (3) a combination weight greater than the gross
16 combination weight rating.

17 In the case of a vehicle in which no gross vehicle weight rating
18 or gross combination weight rating is assigned by the
19 manufacturer, an equivalent rating shall be determined by the
20 department on the basis of the vehicle's horsepower, braking
21 ability, axle limitations and such other factors related to safe
22 operation as may be established by regulations of the
23 department.

24 (e) Minimum registered gross weight.--No truck, truck-
25 tractor or trailer shall be registered at less than the total of
26 the weight of the unladen vehicle, the maximum weight of the
27 proposed load, the equivalent weight of the fuel capacity, 150
28 pounds times the seating capacity, and the weight of any
29 permanently or temporarily attached appurtenances.

30 (f) Registered gross weight of trucks and truck-tractors.--

1 Every truck shall have its own registered gross weight and may
2 also be registered at a registered gross weight for a
3 combination. Every truck-tractor shall be registered at a
4 registered gross weight for a combination.

5 (g) Buses.--The department shall register buses at the gross
6 weight rating specified by the manufacturer or, in the absence
7 of such rating, an equivalent rating which shall be determined
8 by the department in the manner specified for trucks in
9 subsection (d).

10 § 1305. Application for registration.

11 (a) Application for registration.--Application for the
12 registration of a vehicle shall be made to the department upon
13 the appropriate form or forms furnished by the department. The
14 application shall contain the full name and address of the owner
15 or owners; the make, model, year and vehicle identification
16 number of the vehicle; and such other information as the
17 department may require. Applicants for registration of a truck,
18 truck-tractor, trailer or bus shall provide the vehicle's Gross
19 Vehicle Weight Rating (GVWR), or the Gross Combination Weight
20 Rating (GCWR), as applicable. If the manufacturer's ratings are
21 not available, the applicant shall provide sufficient
22 information as to the horsepower, braking capacity and such
23 other data as necessary for the department to determine an
24 equivalent measure of the vehicle's hauling and stopping
25 capability. If the applicant wishes to register a vehicle at a
26 registered gross weight less than the gross vehicle weight
27 rating, the application shall include information as to weight,
28 load and any other such information as the department may
29 require. The application shall be signed by the owner, if a
30 natural person, or if the owner is a corporation, copartnership

1 or association, by an executive officer or some person
2 specifically authorized, in writing, by the owner, to sign the
3 application, and shall be accompanied by the required fee.

4 (b) Evidence of P.U.C. approval for buses.--Before
5 registering any bus which is required under the laws of this
6 Commonwealth to obtain a certificate of public convenience from
7 the Pennsylvania Public Utility Commission, the department shall
8 require evidence that the certificate has been issued and has
9 not been revoked or has not expired.

10 (c) Designation of lessee as registrant.--The owner as
11 lessor may designate the lessee as the registrant of the vehicle
12 and the name and address of the lessee may be substituted on the
13 registration card for the address of the lessor. The department
14 shall designate the relationship upon the card in a manner it
15 deems appropriate.

16 § 1306. Grounds for refusing registration.

17 The department shall refuse registration and transfer of
18 registration when any of the following circumstances exists:

19 (1) The applicant is not entitled to registration under
20 the provisions of this chapter.

21 (2) The applicant has at registration or titling
22 neglected or refused to furnish the department with the
23 information required on the appropriate official form, or any
24 reasonable additional information required by the department.

25 (3) The department has reasonable grounds to believe
26 that the application contains false or fraudulent
27 information, or that the vehicle is stolen, which fact the
28 department shall ascertain by reference to the stolen vehicle
29 file required to be maintained under section 7114 (relating
30 to records of stolen vehicles), or that the granting of

1 registration would constitute a fraud against the rightful
2 owner or other person having a valid lien upon the vehicle.

3 (4) The fees required by law have not been paid.

4 (5) The vehicle is not constructed or equipped as
5 required by this title.

6 (6) The registration of the vehicle stands suspended for
7 any reason as provided for in this title.

8 § 1307. Period of registration.

9 (a) Staggered renewal system to be established.--The
10 department shall establish a system of staggered registration
11 renewal in a manner that some registrations will expire every
12 month throughout the year.

13 (b) New registration.--A new registration is effective on
14 the date of issuance of a registration card by the department or
15 the date of issuance of a temporary registration card by an
16 authorized agent of the department under section 1310 (relating
17 to temporary registration cards and plates), if the vehicle
18 bears a valid certificate of inspection as required under
19 section 4702 (relating to requirement for periodic inspection of
20 vehicles). If the vehicle has not been inspected prior to
21 registration, the registration shall be effective only upon
22 affixing a certificate of inspection. A new registration shall
23 expire on the last day of the month designated on the
24 registration card.

25 (c) Renewal of registration.--A renewed registration shall
26 be effective on the affixing of a certificate of inspection to
27 the vehicle as provided in section 4702 and shall expire on the
28 last day of the month designated on the registration card. The
29 department shall send an application for a renewal of
30 registration to every registrant at least 60 days prior to

1 expiration of the current registration.

2 (d) Termination upon transfer of ownership.--

3 (1) Registration shall terminate upon transfer of
4 ownership of a registered vehicle.

5 (2) The transferee shall be entitled to re-register the
6 vehicle for the balance of the current registration period
7 without payment of a registration fee.

8 (3) If the transferee does not re-register the vehicle,
9 the department shall refund or credit to the registrant a
10 portion of the registration fee determined by the department
11 to be attributable to the unused months of the registration
12 period.

13 (i) This paragraph applies only to registrations for
14 which a permanent plate was issued and a registration fee
15 paid.

16 (ii) In order to be eligible for a refund or credit
17 a registrant whose permanent registration plate is not
18 transferred with the vehicle shall return the
19 registration plate to the department as required in
20 section 1334(c) (relating to plate to remain on vehicle).

21 (iii) A registrant who registers a vehicle in
22 another state is eligible for a refund or credit upon
23 return of the registration plate which was issued for the
24 vehicle.

25 (iv) The department shall publish schedules of
26 refunds or credits for the various classes and types of
27 registrations. The amount of each refund or credit shall
28 be based on that portion of the applicable registration
29 fee which is divisible by 12.

30 (e) Antique and classic vehicles.--Antique and classic motor

1 vehicle registrations shall expire upon the junking, scrapping
2 or transfer of ownership of the vehicle, except that if the
3 transfer is between spouses or between parent and child the
4 transferee may re-register the vehicle as an antique or classic
5 motor vehicle without charge and may retain the previously-
6 issued antique or classic registration plate.

7 § 1308. Issuance of registration card.

8 (a) General rule.--The department, upon registering a
9 vehicle, shall issue to the registrant a registration card which
10 shall contain the registration number assigned to the vehicle,
11 the name and address of the owner, a description of the vehicle
12 including the vehicle identification number, the expiration
13 date, provision for the registrant to certify that the vehicle
14 is currently covered by no-fault and liability insurance and
15 such other information as may be determined by the department.
16 The registration card shall be valid only upon affixing to the
17 vehicle a certificate of inspection as provided in section 4702
18 (relating to requirement for periodic inspection of vehicles).

19 (b) Trucks.--The registration card for a truck shall
20 indicate the registered gross weight of the truck, and the
21 registered gross weight of the combination, if the truck is so
22 registered, in addition to other information required.

23 (c) Truck-tractors.--The registration card for a truck-
24 tractor shall indicate the registered gross weight of the
25 combination in addition to other information required.

26 (d) Trailers.--The registration card for a trailer shall
27 indicate the registered gross weight of the trailer in addition
28 to other information required.

29 (e) Buses.--The registration card for a bus shall indicate
30 the registered gross weight of the bus.

1 § 1309. Renewal of registration.

2 At least 60 days prior to the expiration of each
3 registration, the department shall send to the registrant an
4 application for renewal of registration. Upon return of the
5 application with the applicable fee, the department shall send
6 to the registrant a renewed registration card which shall be
7 valid only upon affixing to the vehicle a certificate of
8 inspection as provided in section 4702 (relating to requirement
9 for periodic inspection of vehicles).

10 § 1310. Temporary registration cards and plates.

11 (a) General rule.--The department may provide temporary
12 registration cards for use pending issuance of permanent
13 registration cards. The department may also provide temporary
14 registration plates for use on vehicles to be removed from this
15 Commonwealth for registration in another state. Temporary
16 registration cards and plates may be delivered to designated
17 agents who shall have the authority to issue them in accordance
18 with regulations promulgated by the department.

19 (b) Duration.--Temporary registration cards shall be valid
20 until receipt by the owner of a permanent registration card, or
21 the end of the inspection period indicated on the certificate of
22 inspection, whichever occurs first. Temporary plates shall
23 expire 30 days from date of issuance.

24 (c) Fees.--A designated agent may not charge more than \$5
25 for issuing a temporary registration card including any notary
26 charges. No fee may be charged for issuing a temporary
27 registration plate.

28 § 1311. Registration card to be signed and exhibited on demand.

29 (a) Signing card.--Upon receiving the registration card or
30 any duplicate, the registrant shall enter the required

1 information as to no-fault and liability insurance coverage and
2 sign his name in the space provided.

3 (b) Carrying and exhibiting card.--Every registration card
4 shall, at all times while the vehicle is being operated upon a
5 highway, be in the possession of the person driving or in
6 control of the vehicle or carried in the vehicle and shall be
7 exhibited upon demand of any police officer.

8 (c) Production to avoid penalty.--No person charged with
9 violating this section shall be convicted if the person produces
10 at the office of the issuing authority or at the office of the
11 arresting police officer within five days of the violation, a
12 registration card valid in this Commonwealth at the time of the
13 arrest.

14 § 1312. Notice of change of name or address.

15 Any person who moves from the address named in the
16 application for registration or on the registration card or
17 whose name is changed shall, within 15 days, notify the
18 department in writing of the old and new address, or of such
19 former and new names, and of the operator's number on any
20 registration card then held by the person.

21 § 1313. Duplicate registration cards.

22 (a) Additional cards upon request.--The department shall, if
23 so requested, issue to the registrant of any vehicle whose
24 registration is not under suspension a duplicate registration
25 card, or as many duplicate registration cards as requested, upon
26 payment of the fee provided in this title for each card.

27 (b) Replacement of lost or illegible card.--In the event of
28 a lost, stolen, destroyed or illegible registration card, the
29 registrant shall apply to the department for a duplicate within
30 48 hours of discovery of the loss or defacement of such

1 registration card, upon a form furnished by the department, and
2 accompanied by the fee provided in this title.

3 (c) Affidavit to avoid penalty.--No owner or operator of a
4 vehicle shall be subject to a fine for failure to have the
5 registration card if the owner or operator makes affidavit that
6 the card was lost or stolen within the period of 20 days
7 preceding and that application for new registration card was
8 made within 48 hours as required in this section.

9 § 1314. Operation of vehicle following death of owner.

10 When the owner of a vehicle is deceased, the vehicle may be
11 operated by or for any heir or personal representative of the
12 decedent for the remainder of the current registration period
13 and throughout the next following registration period, provided
14 that the registration is renewed in the name of the decedent's
15 estate as otherwise required by this chapter. Registration may
16 continue to be renewed thereafter in the name of the decedent's
17 estate by any person entitled to the family exemption until the
18 final account is approved by the court.

19 § 1315. Department records.

20 (a) Records required.--The department shall file all
21 applications for registration or transfer of registration
22 received and shall maintain suitable records in a manner
23 permitting identification of the vehicles and owners containing:

24 (1) All registrations and transfers of registrations
25 issued.

26 (2) All registrations and transfers of registrations
27 denied and reasons for denial.

28 (b) Retention of records.--The department shall promulgate
29 rules setting forth the minimum amount of time that must elapse
30 before the department may destroy the records of registration

1 and transfer of registration.

2 § 1316. Sale of copies of registrations and statistics.

3 The department may sell copies of vehicle registrations and
4 such other statistics relating to the titling and registration
5 of motor vehicles, except the amount of encumbrance and name of
6 encumbrance holder, as it may deem advisable. The charge for the
7 records and the conditions under which they may be sold shall be
8 determined by the department.

9 SUBCHAPTER B

10 REGISTRATION PLATES

11 Sec.

12 1331. Registration plates to be furnished by department.

13 1332. Display of registration plate.

14 1333. Lost, damaged or illegible registration plate.

15 1334. Plate to remain on vehicle.

16 1335. Registration plates for manufacturers and dealers.

17 1336. Use of dealer registration plates.

18 1337. Use of "Miscellaneous Motor Vehicle Business"
19 registration plates.

20 1338. Handicapped plate.

21 1339. Legislative plate.

22 1340. Antique and classic plates.

23 1341. Personal plate.

24 1342. Use of school bus plates.

25 1343. Use of farm tractor plates.

26 1344. Return of registration plates.

27 § 1331. Registration plates to be furnished by department.

28 (a) General rule.--Upon registering a vehicle, the
29 department shall issue a permanent registration plate for the
30 vehicle, unless the registrant has and intends to affix to the

1 vehicle one of the following special plates:

2 (1) Handicapped plate (section 1338).

3 (2) Legislative plate (section 1339).

4 (3) Antique plate (section 1340).

5 (4) Classic plate (section 1340).

6 (5) Personal plate (section 1341).

7 (6) No fee plate (section 1901).

8 (b) Information on plate.--Every registration plate shall
9 have displayed upon it the identifying numbers or letters
10 assigned to the vehicle, the name of the Commonwealth, which may
11 be abbreviated, and any other data the department may deem
12 necessary.

13 (c) Reflectorizing material on plate.--Every registration
14 plate shall be treated with reflectorizing material in
15 accordance with standards approved by the department.

16 (d) Issuance of plates by agents.--The department may
17 deliver permanent plates to designated agents, who shall have
18 the authority to assign them to vehicles in conjunction with the
19 issuance of temporary registration cards.

20 § 1332. Display of registration plate.

21 (a) General rule.--Every registration plate shall, at all
22 times, be securely fastened to the vehicle to which it is
23 assigned or on which its use is authorized in accordance with
24 regulations promulgated by the department.

25 (b) Obscuring plate.--It is unlawful to display on any
26 vehicle a registration plate which is so dirty as to prevent the
27 reading of the number or letters thereon at a reasonable
28 distance or is otherwise illegible at a reasonable distance or
29 is obscured in any manner.

30 § 1333. Lost, damaged or illegible registration plate.

1 (a) Substitute plate made by owner.--In the event a
2 registration plate is lost, stolen, damaged or illegible, the
3 owner of the vehicle shall immediately place on the vehicle a
4 home-made substitute plate or plates bearing the vehicle
5 registration number and displayed as nearly as possible as
6 provided for in section 1332 (relating to display of
7 registration plate).

8 (b) Application for new plate.--The registrant of the
9 vehicle shall apply to the department within 48 hours of
10 discovering the loss or defacement for a new plate.

11 (c) Substitute registration.--Where the registration plate
12 has been lost or stolen and in any other case in which the
13 department may deem it advisable, the original registration
14 shall be cancelled and substitute registration issued under a
15 new registration number other than that originally issued. Upon
16 receipt of substitute registration, it shall be the duty of the
17 registrant to return the old registration plates and card to the
18 department, unless lost or destroyed.

19 (d) Affidavit to avoid penalty.--No owner or operator of a
20 vehicle shall be subject to a fine for the reason that the
21 registration plate is missing if he makes affidavit that the
22 plate was lost or stolen within the period of the 20 days
23 preceding and that application for new plate or plates was made
24 within 48 hours as required in this section.

25 § 1334. Plate to remain on vehicle.

26 (a) General rule.--Except as provided in subsection (b),
27 when ownership of a vehicle is transferred the registration
28 plate and corresponding certificate of inspection shall remain
29 attached to the vehicle.

30 (b) Exceptions.--The registration plate shall not be

transferred with the vehicle in any of the following cases:

(1) If the registration plate is a special registration plate enumerated in section 1331(a) (relating to registration plates to be furnished by department), in which event the transferee shall apply for and the department shall issue a new registration plate.

(2) If the transferee has and intends to use on the vehicle a special registration plate enumerated in section 1331(a).

(3) If the vehicle is to be removed from this Commonwealth.

(4) If a certificate of junk is being applied for.

§ 1335. Registration plates for manufacturers and dealers.

(a) General rule.--The department shall issue annually to dealers and manufacturers licensed by the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen of the Department of State special registration plates which may be displayed on vehicles operating on highways in lieu of registering each vehicle individually in accordance with the requirements of section 1302(a) (relating to vehicles subject to registration).

(b) Application for plates.--Application for dealer registration plates shall be made by the dealer or manufacturer on a form provided by the department together with a copy of his license from the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen.

(c) Exemption from individual registration.--Vehicles displaying dealer registration plates may be operated on the highway without registering each vehicle individually, provided that the plates are used in accordance with the limitations of section 1336 (relating to use of dealer registration plates).

1 § 1336. Use of dealer registration plates.

2 (a) General rule.--Dealer registration plates may be used on
3 any vehicle owned or in possession of a dealer or manufacturer
4 and operated by the dealer or manufacturer or their employees
5 only when the vehicle is used for any of the following purposes:

6 (1) In the actual business of the dealer or
7 manufacturer.

8 (2) For the personal pleasure or use of the dealer or
9 members of his immediate family, or when the dealer is a
10 corporation, for the personal pleasure or use of not more
11 than three officers or members of their immediate families,
12 or for the personal use of the regular employees of the
13 dealer or corporation when operated by the employee.

14 (3) For teaching students enrolled in an approved driver
15 education course how to operate a vehicle and for the new
16 driver to take an examination for a driver's license.

17 (4) For testing vehicles in the possession of the dealer
18 or manufacturer.

19 (5) For demonstrating vehicles in the possession of the
20 dealer or manufacturer.

21 (b) Vehicles loaned to prospective purchasers.--Registered
22 dealers may permit the use of their dealer registration plates
23 for a period not exceeding five days upon vehicles owned by
24 them, and loaned to prospective purchasers for the purpose of
25 demonstrating the vehicle. Records shall be kept by the dealer
26 in a manner prescribed by the department indicating which
27 vehicles have been loaned to prospective purchasers, the name of
28 the person to whom loaned and the period of the loan. The
29 records shall be open to inspection to representatives of the
30 department and to police officers.

1 § 1337. Use of "Miscellaneous Motor Vehicle Business"

2 registration plates.

3 (a) General rule.--The department shall issue annually to
4 owners of miscellaneous motor vehicle businesses special
5 registration plates which may be displayed on vehicles operated
6 on highways in lieu of registering each vehicle individually in
7 accordance with the requirements of section 1362(a) (relating to
8 vehicles subject to registration). A person entitled to
9 registration under subsection (c) may only use registration
10 plates issued in that class in direct connection with the
11 operation of the business described and the registration plates
12 shall not be used for personal pleasure or personal use.

13 (b) Application for registration.--Application for
14 registration in any of the "Miscellaneous Motor Vehicle
15 Business" classes shall be made upon a form provided by the
16 department and shall set forth the full name and business
17 address of the applicant and such other information as the
18 department shall require. The application shall be verified by
19 the oath or affirmation of the applicant or, if the applicant is
20 a partnership or a corporation, by a partner or officer.

21 (c) Classes of "Miscellaneous Motor Vehicle Business".--

22 (1) Repair, service and towing.--Any person engaged in
23 the repair, service or towing of motor vehicles.

24 (2) Vehicle salvage dealer.--Any person who maintains an
25 established place of business and who is engaged in the
26 business of buying, selling or exchanging used, wrecked or
27 abandoned vehicles and junkers for the purpose of remodeling,
28 taking apart, or rebuilding the same, or buying or selling of
29 parts.

30 (3) Transporter.--A person regularly engaged in the

1 business of transporting new vehicles or new and used
2 trailers on their own wheels, owned by or in possession of a
3 registered dealer.

4 (4) Financer or collector-repossessor.--A person who is
5 duly authorized to do business in this Commonwealth as a
6 financer or collector-repossessor and who is regularly
7 engaged in the business of financing sales, making loans on
8 the security of vehicles or repossessing vehicles which are
9 the subject of installment sales contracts as an independent
10 contractor.

11 § 1338. Handicapped plate.

12 On the application of any person who:

13 (1) does not have full use of a leg or both legs or an
14 arm or both arms;

15 (2) is blind; or

16 (3) is in loco parentis of a person specified in
17 paragraph (1) or (2);

18 the department shall issue special registration plates for any
19 passenger car or Class #1 truck designating the vehicle so
20 licensed as being used by a handicapped person. Special plates
21 for handicapped persons may also be issued for vehicles operated
22 exclusively for the use and benefit of handicapped persons. The
23 department shall not charge any fee, other than the regular
24 registration fee, for the issuance of the registration plates.

25 § 1339. Legislative plate.

26 Upon application by a member of the General Assembly, the
27 department shall issue a special registration plate indicating
28 that the vehicle is owned by a member of the Senate or the House
29 of Representatives, as appropriate. The department may not
30 charge any fee, other than the regular registration fee, for the

1 plates.

2 § 1340. Antique and classic plates.

3 (a) General rule.--Upon submission by a vehicle owner of
4 information satisfactory to the department that a motor vehicle
5 is an antique motor vehicle or classic motor vehicle,
6 accompanied by the appropriate fee, the department may issue
7 special plates for the vehicle. No annual registration fee may
8 be charged for antique or classic motor vehicles.

9 (b) Use of plates.--It is unlawful for any person to operate
10 a vehicle with antique or classic registration plates for
11 general daily transportation. Permitted use shall be limited to
12 participation in club activities, exhibits, tours, parades,
13 occasional transportation and similar uses.

14 § 1341. Personal plate.

15 Upon request by the applicant, the department may issue
16 registration plates consisting of any combination of numbers or
17 numbers and letters. These special plates may be issued for
18 special groups or for special purposes and bear an appropriate
19 designation. They shall have the same force and effect as
20 regular registration plates. The department may refuse any
21 combination of letters and numbers for cause and shall adopt
22 reasonable rules and regulations for the issuance of the plates
23 and for carrying out the provisions of this section. The
24 applicant shall comply with all laws and regulations pertaining
25 to registration including the payment of any additional fees.

26 § 1342. Use of school bus plates.

27 (a) General rule.--A motor vehicle bearing school bus
28 registration plates shall be used exclusively for the
29 transportation of children and no more than five chaperones to
30 or from school or in connection with any school-related activity

1 or for transportation without charge of passengers in connection
2 with an activity sponsored by a religious, charitable or civic
3 organization. Except when transporting children to and from
4 school or school-related activities, the words "school bus" on
5 the front and rear of the vehicle shall be concealed and the red
6 and amber visual signals shall not be operable.

7 (b) Penalty.--Any person violating this section is guilty of
8 a summary offense and shall, upon conviction, be sentenced to
9 pay a fine of not less than \$100.

10 § 1343. Use of farm truck plates.

11 (a) General rule.--A truck bearing farm truck registration
12 plates shall be used exclusively upon a farm or farms owned or
13 operated by the owner of the vehicle or upon highways between:

14 (1) Parts of one farm.

15 (2) Farms located not more than 20 miles apart.

16 (3) A farm and a place of business located within a
17 radius of 20 miles from the farm for the purpose of buying or
18 selling agricultural commodities or supplies or for the
19 inspection, repair or servicing of the vehicle.

20 (b) Penalty.--Any person violating this section is guilty of
21 a summary offense and shall, upon conviction, be sentenced to
22 pay a fine of not less than \$100.

23 § 1344. Return of registration plates.

24 (a) General rule.--Registration plates shall be returned to
25 the department under the following circumstances:

26 (1) A permanent registration plate shall be returned if
27 it is not transferred with a vehicle as provided in section
28 1334(b)(2), (3) and (4) (relating to plate to remain on
29 vehicle).

30 (2) A personal registration plate shall be returned if

1 the registrant no longer has a vehicle registered in this
2 Commonwealth.

3 (3) A legislative registration plate shall be returned
4 on the expiration or termination of the term of office of the
5 member of the General Assembly.

6 (4) A dealer or "Miscellaneous Motor Vehicle Business"
7 registration plate shall be returned if the business is
8 discontinued.

9 (5) A handicapped registration plate shall be returned
10 if the person to whom it was issued no longer qualifies under
11 section 1338 (relating to handicapped plate).

12 (b) Time for return of plate.--Each registration plate
13 required to be returned under this section shall be returned to
14 the department within five days of the occurrence requiring its
15 return.

16 (c) Statement accompanying returned plate.--Each returned
17 registration plate shall be accompanied by a statement of the
18 reason for the return of the plate and the date of the
19 occurrence requiring its return.

20 SUBCHAPTER C

21 VIOLATIONS AND SUSPENSIONS

22 Sec.

23 1371. Operation following suspension of registration.

24 1372. Unauthorized transfer or use of registration.

25 1373. Suspension of registration.

26 1374. Suspension of vehicle business registration plates.

27 1375. Suspension of registration of unapproved carriers.

28 1376. Surrender of registration plates and cards upon
29 suspension.

30 1377. Right of appeal to court.

1 § 1371. Operation following suspension of registration.

2 (a) General rule.--No person shall operate and no owner
3 shall permit to be operated upon any highway a vehicle the
4 registration of which has been revoked or suspended.

5 (b) Penalty.--Any person violating this section is guilty of
6 a summary offense and shall, upon conviction, be sentenced to
7 pay a fine of not less than \$100 nor more than \$500.

8 § 1372. Unauthorized transfer or use of registration.

9 No person shall:

10 (1) allow a registration card or plate or permit to be
11 used by any person not authorized to use it or on any vehicle
12 other than the vehicle for which it was issued;

13 (2) use any registration card or plate or permit unless
14 authorized to do so; or

15 (3) display a registration card or plate in, on or in
16 connection with any vehicle other than the vehicle for which
17 it was issued.

18 § 1373. Suspension of registration.

19 The department may suspend forthwith any registration after
20 providing opportunity for a hearing in any of the following
21 cases when the department finds upon sufficient evidence that:

22 (1) The vehicle is unsafe or unfit for operation or is
23 not equipped as required by this title.

24 (2) The owner or registrant has made, or permitted to be
25 made, any unlawful use of the vehicle or registration plate
26 or plates, or registration card, or permitted the use by a
27 person not entitled thereto.

28 (3) The owner or registrant has knowingly made a false
29 statement or knowingly concealed a material fact or otherwise
30 committed a fraud in any application or form required to be

1 filed by this title.

2 (4) Upon the request or order of any court of record.

3 (5) The required fee has not been paid.

4 § 1374. Suspension of vehicle business registration plates.

5 (a) General rule.--The department may suspend registration
6 plates for dealers, manufacturers or members of the
7 "Miscellaneous Motor Vehicle Business" class after providing
8 opportunity for a hearing in any of the following cases when the
9 department finds upon sufficient evidence that:

10 (1) The registrant is no longer entitled to licensing as
11 a dealer or manufacturer or to registration in the
12 "Miscellaneous Motor Vehicle Business" class.

13 (2) The registrant has made or permitted to be made any
14 unlawful use of the vehicle or registration plate or plates
15 or registration card or permitted the use by a person not
16 entitled thereto.

17 (3) The registrant has knowingly made a false statement
18 or knowingly concealed a material fact or otherwise committed
19 a fraud in any application.

20 (4) The registrant has failed to give notice of transfer
21 of ownership or of the destruction or junking of any vehicle
22 when and as required by this title.

23 (5) The registrant has failed to deliver to a transferee
24 lawfully entitled thereto or to the department, when and as
25 required by this title, a properly assigned certificate of
26 title.

27 (6) The registrant has repeatedly violated any of the
28 provisions of this title.

29 (7) Any fee payable to the Commonwealth in connection
30 with the operation of the business of the registrant has not

1 been paid.

2 (b) Recommended action by State licensing board.--The
3 department may also audit and investigate dealers and
4 manufacturers registered by the State Board of Motor Vehicle
5 Manufacturers, Dealers and Salesmen to determine whether any
6 dealer or manufacturer has violated any provision of this title
7 pertaining to dealers or manufacturers or any regulation
8 promulgated by the department. The department may recommend that
9 the State Board of Motor Vehicle Manufacturers, Dealers and
10 Salesmen suspend the license of any dealer or manufacturer which
11 it finds has committed a violation and the board shall take
12 prompt action on any such recommendations under the act of
13 September 9, 1965 (P.L.499, No.254), known as the "Motor Vehicle
14 Manufacturer's Dealers and Salesmen's License Act."

15 § 1375. Suspension of registration of unapproved carriers.

16 (a) General rule.--The department shall suspend the
17 registration of any vehicle upon the presentation to the
18 department of a certificate of the Pennsylvania Public Utility
19 Commission setting forth, after hearing and investigation, that
20 the commission has found and determined that the vehicle has
21 been operated as a common carrier or contract carrier by motor
22 vehicle within this Commonwealth without the approval of the
23 commission.

24 (b) Rescission of suspension.--Any suspension of
25 registration under this section may be rescinded by the
26 department upon the petition of the owner of such vehicle or of
27 the lessee provided the petition is accompanied by a certificate
28 of the Pennsylvania Public Utility Commission setting forth that
29 the commission does not object to the rescission.

30 § 1376. Surrender of registration plates and cards upon

1 suspension.

2 (a) General rule.--The department, upon suspending any
3 registration, shall require the registration plate or plates and
4 registration card to be surrendered immediately to the
5 department and may delegate authority to any authorized
6 department employee or police officer to seize the registration
7 plate or plates and registration card or cards.

8 (b) Penalty.--Any person failing or refusing to surrender to
9 the department, upon demand, any registration plate or card
10 which has been suspended is guilty of a summary offense and
11 shall, upon conviction, be sentenced to pay a fine of \$100.

12 § 1377. Right of appeal to court.

13 Any person whose registration has been suspended by the
14 department shall have the right to appeal by filing a petition
15 within 30 days thereafter for a hearing in the court of common
16 pleas in the county in which the individual resides. The filing
17 of the petition shall act as a supersedeas and the suspension of
18 registration shall not be imposed until determination of the
19 matter as provided in this section. The court is hereby vested
20 with jurisdiction, and it shall be the duty of the department to
21 set the matter down forthwith for hearing upon 30 days written
22 notice to the department, and thereupon to take testimony and
23 examine into the facts of the case and to determine whether the
24 petitioner is subject to suspension of registration under the
25 provisions of this title.

26 CHAPTER 15

27 LICENSING OF DRIVERS

28 Subchapter

29 A. General Provisions

30 B. Comprehensive System For Driver Education and Control

1 C. Violations

2 SUBCHAPTER A

3 GENERAL PROVISIONS

4 Sec.

5 1501. Drivers required to be licensed.

6 1502. Persons exempt from licensing.

7 1503. Persons ineligible for licensing.

8 1504. Classes of licenses.

9 1505. Learners' permits.

10 1506. Application for driver's license or learner's permit.

11 1507. Application for driver's license or learner's permit by
12 minor.

13 1508. Examination of applicant for driver's license.

14 1509. Qualifications for Class 4 license.

15 1510. Issuance and content of driver's license.

16 1511. Carrying and exhibiting driver's license on demand.

17 1512. Restrictions on drivers' licenses.

18 1513. Duplicate and substitute drivers' licenses and learners'
19 permits.

20 1514. Expiration and renewal of drivers' licenses.

21 1515. Notice of change of name or address.

22 1516. Department records.

23 1517. Medical advisory board.

24 1518. Reports on mental or physical disabilities or disorders.

25 1519. Determination of incompetency.

26 § 1501. Drivers required to be licensed.

27 (a) General rule.--No person, except those expressly
28 exempted, shall drive any motor vehicle upon a highway in this
29 Commonwealth unless the person has a valid driver's license
30 under the provisions of this chapter.

1 (b) Persons in towed vehicles.--No person, except those
2 expressly exempted, shall steer or, while within the passenger
3 compartment of the vehicle, exercise any degree of physical
4 control of a vehicle being towed by a motor vehicle upon a
5 highway in this Commonwealth unless the person has a valid
6 driver's license under the provisions of this chapter for the
7 type or class of vehicle being towed.

8 (c) Limitation on number of licenses.--No person shall
9 receive a driver's license unless and until the person
10 surrenders to the department all valid licenses in the person's
11 possession issued by this or any other state. All surrendered
12 licenses issued by another state shall be returned to that
13 state, together with information that the person is licensed in
14 this Commonwealth. No person shall be permitted to have more
15 than one valid driver's license at any time.

16 (d) Penalty.--Any person violating subsection (a) is guilty
17 of a misdemeanor of the third degree and shall, upon conviction,
18 be sentenced to pay a fine of not less than \$100 and not more
19 than \$300, except that, if the person charged furnishes
20 satisfactory proof of having held a valid driver's license
21 issued during the preceding driver's license period and no more
22 than 30 days have elapsed from the last date for renewal, the
23 person shall be guilty of a summary offense. No person charged
24 with violating subsections (a) or (b) shall be convicted if the
25 person produces at the office of the issuing authority or the
26 arresting police officer within five days a driver's license
27 valid in this Commonwealth at the time of the arrest.

28 § 1502. Persons exempt from licensing.

29 The following persons are not required to obtain a driver's
30 license under this chapter:

1 (1) Any employee of the Federal Government while
2 operating a motor vehicle owned by or leased to the Federal
3 Government and being operated on official business unless the
4 employee is required by the Federal Government or any agency
5 thereof to have a state driver's license.

6 (2) Any person in the service of the Pennsylvania
7 National Guard when furnished with a valid military driver's
8 license and operating a vehicle on official business.

9 (3) Any nonresident who is at least 16 years of age and
10 who has in possession a valid driver's license issued in the
11 person's home state or country except that a person who has
12 been issued a valid driver's license in a country other than
13 the United States or Canada shall be exempt only upon showing
14 a satisfactory understanding of official traffic-control
15 devices. A nonresident may only drive the class or classes of
16 vehicles in this Commonwealth for which the person is
17 licensed to drive in the person's home state or country
18 subject to all restrictions contained on the license.

19 (4) Any person on active duty in the armed forces of the
20 United States who has in the person's immediate possession a
21 valid driver's license issued in a foreign country by the
22 armed forces of the United States may operate a motor vehicle
23 in this Commonwealth for a period of not more than 45 days
24 from the date of the person's return to the United States.

25 (5) Any person operating an implement of husbandry or
26 any motorized self-propelled equipment not required to be
27 registered under this title. Persons under 16 years of age
28 are restricted to the operation of implements of husbandry on
29 one and two lane highways which bisect or immediately adjoin
30 the premises upon which such person resides.

1 § 1503. Persons ineligible for licensing.

2 (a) General rule.--The department shall not issue any
3 driver's license to, or renew the driver's license of, any
4 person:

5 (1) Who is currently under suspension or whose operating
6 privilege has been revoked except as otherwise provided in
7 this title.

8 (2) Whose operating privilege is suspended or revoked in
9 any other state upon grounds which would authorize the
10 suspension or revocation of the operating privilege under
11 this title.

12 (3) Who is a user of alcohol or any controlled substance
13 to a degree rendering the user incapable of safely driving a
14 motor vehicle. This paragraph does not apply to any person
15 who is enrolled or otherwise participating in a methadone or
16 other controlled substance treatment program approved by the
17 Governor's Council on Drug and Alcohol Abuse provided that
18 the person is certified to be competent to drive by a
19 physician.

20 (4) Who has been adjudged to be afflicted with or
21 suffering from any mental disability or disease and who has
22 not at the time of application been restored to competency by
23 the methods provided by law.

24 (5) Whose name has been submitted under the provisions
25 of section 1518 (relating to reports on mental or physical
26 disabilities or disorders).

27 (6) Who is required by the department to take an
28 examination until the person has successfully passed the
29 examination.

30 (b) Minors.--The department shall not issue any driver's

1 license to any person who is under the age of 18 years, except
2 that the department shall issue a driver's license to any person
3 who is at least 16 years of age and who presents evidence that
4 the person has satisfactorily completed a driver education
5 course and all other requirements necessary for the type of
6 license to be issued. This course must be approved by the
7 department and the Department of Education and may be given by a
8 public school, a private school or a licensed professional
9 driver training school. Upon receiving an application signed and
10 verified by a parent, guardian or person in loco parentis, the
11 department shall issue a learner's permit to any person who has
12 attained the age of 15 years 9 months in order that the person
13 may receive classroom instruction in an approved driver training
14 course. Upon such person's 16th birthday, the learner's permit
15 shall be valid for driving on the highways of this Commonwealth
16 subject to the provisions of this chapter governing the use of
17 learners permits.

18 § 1504. Classes of licenses.

19 (a) Proper class of license required.--No person shall drive
20 any motor vehicle upon a highway in this Commonwealth unless the
21 person has a valid driver's license for the type or class of
22 vehicle being driven.

23 (b) Notation of class on license.--The department upon
24 issuing a driver's license shall indicate on the license the
25 type or general class or classes of vehicle or vehicles the
26 licensee may operate in accordance with the provisions of
27 subsection (c).

28 (c) Qualifications of applicants.--The department shall
29 establish by regulation the qualifications necessary for the
30 safe operation of the various types, sizes or combinations of

1 vehicles and shall appropriately examine each applicant to
2 determine the qualification of the applicant according to the
3 type or general class of license applied for.

4 (d) Number and description of classes.--Licenses issued by
5 the department shall be classified in the following manner:

6 (1) Class 1.--A Class 1 license shall be issued to those
7 persons who have demonstrated their qualifications to operate
8 a single vehicle not in excess of 24,000 pounds registered
9 gross weight or any such vehicle towing a trailer not in
10 excess of 10,000 pounds gross weight. The holder of a Class 1
11 license shall not be deemed qualified to operate buses,
12 school buses or motorcycles unless the license is endorsed as
13 provided in this section.

14 (2) Class 2.--A Class 2 license shall be issued to those
15 persons over 18 years of age who have demonstrated their
16 qualifications to operate a single vehicle of over 24,000
17 pounds registered gross weight or any bus or any such vehicle
18 towing a trailer not in excess of 10,000 pounds gross weight.
19 The holder of a Class 2 license shall be deemed qualified to
20 operate those vehicles for which a Class 1 license is issued,
21 but not school buses or motorcycles unless the license is
22 endorsed as provided in this section.

23 (3) Class 3.--A Class 3 license shall be issued to those
24 persons over 18 years of age who have demonstrated their
25 qualifications to operate a vehicle while in combination with
26 or towing a trailer in excess of 10,000 pounds gross weight.
27 The holder of a Class 3 license shall be deemed qualified to
28 operate those vehicles for which a Class 1 or Class 2 license
29 is issued, but not school buses or motorcycles unless the
30 license is endorsed as provided in this section.

1 (4) Class 4.--Persons who have qualified to operate
2 school buses in accordance with this title and the rules and
3 regulations promulgated and adopted by the department shall
4 have the qualification endorsed on the license as provided in
5 this section.

6 (5) Class 5.--Those persons who have demonstrated their
7 qualifications to operate a motorcycle shall have that
8 qualification endorsed on one of the basic classes of license
9 described in this section. If a person is qualified only to
10 operate a motorcycle he shall be issued a license with only
11 that qualification endorsed on the license.

12 (e) Removal of class from license.--A person with a license
13 endorsed for a class may, upon request, have the endorsement
14 removed by the department without prejudice.

15 § 1505. Learners' permits.

16 (a) General rule.--A person who desires to obtain a driver's
17 license or who desires to be licensed in a class for which the
18 person is not already licensed shall apply to the department for
19 the class or classes of license in which the person desires to
20 be licensed. The department shall issue to each applicant a
21 learner's permit which shall clearly identify the class of
22 license applied for as provided in section 1504 (relating to
23 classes of licenses).

24 (b) Learner must be accompanied.--A learner's permit
25 entitles the person to whom it was issued to drive vehicles and
26 combinations of vehicles of the class or classes specified, but
27 only while the holder of the learner's permit is accompanied by
28 and under the immediate supervision of a person who:

29 (1) is licensed in this Commonwealth to drive vehicles
30 of the class then being driven by the holder of the learner's

1 permit; and

2 (2) is actually occupying a seat beside the holder of
3 the learner's permit unless the vehicle is a motorcycle.

4 (c) Operation of motorcycle.--A motorcycle learner's permit
5 entitles the person to whom it is issued to operate a motorcycle
6 between sunrise and sunset while under the instruction and
7 immediate supervision of a licensed motorcycle operator.

8 Motorcycle learners shall not carry any passenger other than an
9 instructor properly licensed to operate a motorcycle.

10 (d) Duration of permit.--A learner's permit shall be valid
11 for a period of 120 days after date of issue, or until the
12 holder of the permit has failed the examination as authorized in
13 section 1508 (relating to examination of applicant for driver's
14 license) three times within the 120-day period.

15 § 1506. Application for driver's license or learner's permit.

16 (a) Form and content.--Every application for a learner's
17 permit or driver's license shall be made upon a form furnished
18 by the department and shall contain such information as the
19 department may require to determine the applicant's identity,
20 competency and eligibility.

21 (b) Signature and certification.--The application shall be
22 signed by the applicant who shall certify that the statements
23 made are true and correct.

24 § 1507. Application for driver's license or learner's permit by
25 minor.

26 (a) Signature of parent or guardian.--The application of any
27 person under the age of 18 years for a learner's permit or
28 driver's license shall be signed and verified before a person
29 authorized to administer oaths or before an authorized
30 department employee by the father, mother, guardian or person in

1 loco parentis.

2 (b) Signature of spouse of married minor.--The application
3 of any married person under the age of 18 years may be signed by
4 the spouse and verified before a person authorized to administer
5 oaths.

6 (c) Certification of person signing.--Any person signing the
7 application shall certify that the statements made thereon are
8 true and correct to the best of the applicant's knowledge,
9 information and belief and that the person consents to the
10 issuance of the driver's license or learner's permit.

11 (d) Withdrawal of consent.--Any person who has signed the
12 application of a person under the age of 18 for a driver's
13 license or learner's permit may thereafter file with the
14 department a verified written request that the driver's license
15 or learner's permit of the person be cancelled and the
16 department shall cancel the driver's license or learner's
17 permit.

18 § 1508. Examination of applicant for driver's license.

19 (a) General rule.--The department shall examine every
20 applicant for a driver's license for the type or class of
21 vehicles that the applicant desires to drive. The examination
22 shall include a test of the applicant's eyesight, ability to
23 read and understand official traffic-control devices, knowledge
24 of safe driving practices and the traffic laws of this
25 Commonwealth, and shall include an actual demonstration of
26 ability to exercise ordinary and reasonable control in the
27 operation of a motor vehicle of the type or class of vehicles
28 for which the applicant desires a license to drive. The
29 examination may also include a physical and mental examination
30 if the department finds it necessary to further determine an

1 applicant's fitness to operate a motor vehicle safely upon the
2 highways.

3 (b) Issuance of license to licensed nonresident.--A driver's
4 license may be issued to a person who has not had a learner's
5 permit but who at the time of application is of sufficient age
6 and has a valid unrevoked or unsuspended license issued by
7 another state under a law requiring the examination and
8 licensing of drivers, providing that the applicant demonstrates
9 knowledge and understanding of rules of the road and official
10 traffic-control devices. Also, the department must be satisfied
11 that the applicant's experience in driving vehicles which may be
12 driven by holders of the classes of licenses sought by the
13 applicant is sufficient to justify the issuance of the license
14 without further behind-the-wheel training.

15 § 1509. Qualifications for Class 4 license.

16 (a) School bus driver requirements.--No person shall be
17 issued a Class 4 license unless the person:

18 (1) has successfully completed a course of instruction
19 as provided in subsection (c); and

20 (2) has satisfactorily passed an annual physical
21 examination to be given by the physician for the school
22 district by which the person is employed.

23 (b) Proof of annual physical examination.--Every school bus
24 driver shall carry a certificate issued by an examining
25 physician indicating that the person has passed the prescribed
26 physical examination, including an examination of the eyes,
27 within the preceeding 12 months.

28 (c) School bus driver training program.--The department
29 shall establish standards for a basic course and a refresher
30 course for school bus drivers. The courses shall be conducted by

1 school districts or groups of school districts or any State or
2 Federal transportation association of school bus operators
3 designated by the school district on a continuing basis, with
4 the costs and responsibility for completion of the training to
5 be borne by the school district or private or parochial school
6 for which the drivers operate.

7 § 1510. Issuance and content of driver's license.

8 The department shall, upon payment of the required fee, issue
9 to every qualified applicant a driver's license indicating the
10 type or general class of vehicles the licensee may drive, which
11 license may contain a distinguishing number identifying the
12 licensee, the actual name, date of birth, residence address, a
13 color photograph of the licensee, such other information as may
14 be required by the department, and either a facsimile of the
15 signature of the licensee or a space upon which the licensee
16 shall write his usual signature with pen and ink. At the option
17 of the applicant the applicant's social security number may be
18 used as the distinguishing number identifying the licensee. No
19 driver's license shall be valid until it has been signed by the
20 licensee.

21 § 1511. Carrying and exhibiting driver's license on demand.

22 (a) General rule.--Every licensee shall possess a driver's
23 license issued to the licensee at all times when driving a motor
24 vehicle and shall exhibit the license upon demand by a police
25 officer, and when requested by the police officer the licensee
26 shall write the licensee's name in the presence of the officer
27 in order to provide identity.

28 (b) Production to avoid penalty.--No person charged with
29 violating this section shall be convicted if the person produces
30 at the office of the issuing authority or the arresting officer

1 within five days a driver's license valid in this Commonwealth
2 at the time of the arrest.

3 § 1512. Restrictions on drivers' licenses.

4 (a) General rule.--The department upon issuing a driver's
5 license shall have authority whenever good cause appears to
6 impose restrictions suitable to the licensee's driving ability
7 with respect to special mechanical control devices required on a
8 motor vehicle which the licensee may operate or such other
9 restrictions applicable to the licensee as the department may
10 determine to be appropriate to assure the safe operation of a
11 motor vehicle by the licensee.

12 (b) Compliance with restrictions.--No person shall operate a
13 motor vehicle in any manner in violation of the restrictions
14 imposed.

15 § 1513. Duplicate and substitute drivers' licenses and
16 learners' permits.

17 (a) General rule.--If a learner's permit or driver's license
18 issued under the provisions of this chapter is mutilated, lost,
19 destroyed or becomes illegible, the person to whom it was
20 issued, upon furnishing proof satisfactory to the department
21 that the license or permit has been mutilated, lost, destroyed,
22 or has become illegible, shall obtain a duplicate or substitute
23 license or permit upon payment of the required fee.

24 (b) Return of original.--If a duplicate or substitute
25 learner's permit or driver's license has been issued, any person
26 who finds or otherwise obtains possession of the original shall
27 return the original to the department.

28 § 1514. Expiration and renewal of drivers' licenses.

29 (a) General rule.--Every driver's license shall expire on
30 the licensee's birthdate at yearly intervals of not more than

1 four years as may be determined by the department. Every license
2 shall be renewable on or before its expiration upon application,
3 payment of the required fee, and satisfactory completion of any
4 examination required or authorized by this chapter.

5 (b) Examination of applicants for renewal.--The department
6 may require persons applying for renewal of a driver's license
7 to take and successfully pass a physical examination if the
8 department has reason to believe, either based on knowledge of
9 the person or on statistical inference, that the person may be a
10 traffic safety hazard. The department may require the applicant
11 to take and successfully pass such additional tests as the
12 department may find reasonably necessary to determine the
13 applicant's qualification according to the type or general class
14 of license applied for and such examination may include any or
15 all of the other tests required or authorized upon original
16 application by section 1508 (relating to examination of
17 applicant for driver's license). Upon refusal or neglect of the
18 person to submit to the examination, the driver's license shall
19 not be renewed until such time as the examination is
20 successfully completed.

21 (c) Military personnel and dependents.--Notwithstanding
22 subsection (a), a driver's license held by any person who enters
23 or is on active service in the armed forces of the United States
24 or the spouse or dependent child of the member of the armed
25 forces who resides with such person shall continue in full force
26 and effect so long as the active service continues and the
27 person is absent from this Commonwealth, and for a further
28 period of 45 days following the date of the person's discharge
29 or separation from active service or return to this
30 Commonwealth, unless the driver's license is sooner suspended,

1 cancelled or revoked for cause according to law. A driver's
2 license which otherwise would have expired under subsection (a)
3 shall be valid only if the licensee has in immediate possession,
4 together with the driver's license, papers indicating actual
5 service outside this Commonwealth, or discharge or separation,
6 as the case may be, or proof thereof if a spouse or child.

7 § 1515. Notice of change of name or address.

8 Whenever any person after applying for or receiving a
9 driver's license moves from the address named in the application
10 or in the driver's license issued or when the name of a licensee
11 is changed such person shall, within 15 days thereafter, notify
12 the department in writing of the old and new addresses or of
13 such former and new names and of the number of any license then
14 held by the person.

15 § 1516. Department records.

16 (a) Applications, suspensions and revocations.--The
17 department shall file every application for a license received
18 by it and shall maintain suitable records containing:

19 (1) All applications denied and the reasons for denial.

20 (2) All applications granted.

21 (3) The name of every licensee whose license has been
22 suspended or revoked by the department and the reasons for
23 such action.

24 (b) Accidents and convictions.--The department shall file
25 all accident reports and abstracts of court records of
26 convictions received by it under the laws of this Commonwealth
27 and maintain actual or facsimile records or make suitable
28 notations in order that the records of each licensee showing
29 convictions of the licensee and the traffic accidents shall be
30 available for official use. These records shall also be made

1 available to the courts for sentencing purposes.

2 (c) Retention of records.--The department shall promulgate
3 rules setting forth the minimum amount of time that must elapse
4 before the department may destroy the following records:

5 (1) Expired drivers' licenses.

6 (2) Applications for drivers' licenses and learners'
7 permits.

8 (d) Dismissal of charges for violations.--If a charge for
9 violation of any of the provisions of this title against any
10 person is dismissed by any court of competent jurisdiction, no
11 record of the charge and dismissal shall be included in the
12 driving record of the person.

13 (e) Updating driving record.--Drivers wishing to have their
14 record reviewed by the department may make such a request in
15 order that the record be brought up to date.

16 § 1517. Medical advisory board.

17 (a) Membership.--There shall be a medical advisory board
18 consisting of 13 members appointed by the department. The board
19 shall be composed of an authorized representative from the
20 Department of Transportation, Department of Justice, Governor's
21 Council on Drug and Alcohol Abuse, Department of Health,
22 Pennsylvania State Police and professionals as follows: One
23 neurologist, one doctor of cardiovascular disease, one doctor of
24 internal medicine, one general practitioner, one
25 ophthalmologist, one psychiatrist, one orthopedic surgeon and
26 one optometrist.

27 (b) Formulation of regulations.--The board shall formulate
28 rules and regulations for adoption by the department on physical
29 and mental criteria including vision standards relating to the
30 licensing of drivers under the provisions of this chapter.

1 § 1518. Reports on mental or physical disabilities or
2 disorders.

3 (a) Definition of disorders and disabilities.--The medical
4 advisory board shall define disorders characterized by lapses of
5 consciousness or other mental or physical disabilities affecting
6 the ability of a person to drive safely for the purpose of the
7 reports required by this section.

8 (b) Reports by medical personnel.--All physicians and other
9 persons authorized to diagnose or treat disorders and
10 disabilities defined by the medical advisory board shall report
11 to the department, in writing, the full name, date of birth and
12 address of every person over 15 years of age diagnosed as having
13 any specified disorder or disability within ten days.

14 (c) Responsibility of institution heads.--The person in
15 charge of every mental hospital, instruction or clinic, or any
16 alcohol or drug treatment facility, shall be responsible to
17 assure that reports are filed in accordance with subsection (b).

18 (d) Confidentiality of reports.--The reports required by
19 this section shall be confidential and shall be used solely for
20 the purpose of determining the qualifications of any person to
21 drive a motor vehicle on the highways of this Commonwealth.

22 (e) Use of report as evidence.--No report forwarded under
23 the provisions of this section shall be used as evidence in any
24 civil or criminal trial except in any proceeding under section
25 1519(c) (relating to determination of incompetency).

26 (f) Immunity from civil and criminal liability.--No civil or
27 criminal action may be brought against any person or agency for
28 providing the information required under this system.

29 § 1519. Determination of incompetency.

30 (a) General rule.--The department, having cause to believe

1 that a licensed driver or applicant may not be physically or
2 mentally qualified to be licensed, may obtain the advice of a
3 physician who shall cause an examination to be made or who shall
4 designate any other qualified physician. The licensed driver or
5 applicant may cause a written report to be forwarded to the
6 department by a physician of the driver's or applicant's choice.
7 The department shall appoint one or more qualified persons who
8 shall consider all medical reports and testimony and determine
9 the competency of the driver or the applicant to drive.

10 (b) Confidentiality of reports and evidence.--Reports
11 received by the department for the purpose of assisting the
12 department in determining whether a person is qualified to be
13 licensed are for the confidential use of the department and may
14 not be divulged to any person or used as evidence in any trial
15 except that the reports may be admitted in proceedings under
16 subsection (c) and any physician conducting an examination
17 pursuant to subsection (a) may be compelled to testify
18 concerning observations and findings in such proceedings. The
19 party calling the physician as an expert witness shall be
20 obliged to pay the reasonable fee for such testimony.

21 (c) Recall of operating privilege.--The department shall
22 recall the operating privilege of any person whose incompetency
23 has been established under the provisions of this chapter. The
24 recall shall be for an indefinite period until satisfactory
25 evidence is presented to the department in accordance with
26 regulations to establish that such person is competent to drive
27 a motor vehicle. Any person aggrieved by recall of the operating
28 privilege may appeal to the Commonwealth Court.

29 SUBCHAPTER B

30 COMPREHENSIVE SYSTEM FOR DRIVER EDUCATION

AND CONTROL

Sec.

1531. Administration of system by department.

1532. Revocation of operating privilege.

1533. Suspension of operating privilege for failure to respond
to citation.

1534. Suspension of operating privilege upon acceptance of
Accelerative Rehabilitative Disposition.

1535. Schedule of convictions and points.

1536. Notice of assignment of points.

1537. Removal of points.

1538. School, examination or interview on accumulation of
points.

1539. Suspension of operating privilege on accumulation of
points.

1540. Surrender of license.

1541. Period of revocation or suspension of operating
privilege.

1542. Driving while operating privilege is suspended or
revoked.

1543. Assignment of points for conviction in another state.

1544. Additional period of revocation or suspension.

1545. Restoration of operating privilege.

1546. Suspension or revocation of nonresident's operating
privilege.

1547. Suspension or revocation for conviction in another state.

1548. Chemical test to determine amount of alcohol.

1549. Post conviction examination for driving under influence.

1550. Establishment of schools.

1551. Appeal to court.

1 § 1531. Administration of system by department.

2 The department shall administer an integrated system for
3 revocation and suspension of operating privileges and for driver
4 education, testing and control and for this purpose shall
5 maintain a record as to every driver of convictions of offenses
6 set forth in this title and such other convictions and offenses
7 as are punishable by suspension or revocation under this title.

8 § 1532. Revocation of operating privilege.

9 (a) One year revocation.--The department shall revoke the
10 operating privilege of any person for one year upon receiving a
11 certified record of the driver's conviction of any of the
12 following offenses:

13 (1) Homicide by vehicle as required by section 3733
14 (relating to homicide by vehicle).

15 (2) Any felony under this title or any felony in the
16 commission of which a court determines that a motor vehicle
17 was essentially involved.

18 (3) Failure to stop, render aid or identify himself as
19 required by section 3742 (relating to accidents involving
20 death or personal injury) in the event of a motor vehicle
21 accident resulting in the death or personal injury of
22 another.

23 (4) Driving while the operating privilege is revoked.

24 (b) Six month revocation.--The department shall revoke the
25 operating privilege of any person for six months upon receiving
26 a certified record of the driver's conviction of any misdemeanor
27 under this title except as otherwise provided in subsection (a).

28 § 1533. Suspension of operating privilege for failure to
29 respond to citation.

30 The department by regulation may suspend the operating

1 privilege of any person who has failed to respond to a citation
2 to appear before a court of competent jurisdiction of this
3 Commonwealth or of any state for violation of this title, other
4 than overtime parking, upon being duly notified as provided by
5 law. The suspension shall be for an indefinite period until such
6 person shall respond and pay any fines and penalties imposed.
7 Such suspension by the department under regulations promulgated
8 pursuant to this section shall be in addition to the requirement
9 of withholding renewal or reinstatement of a violator's driver's
10 license as prescribed in section 1503(c) (relating to persons
11 ineligible for licensing).

12 § 1534. Suspension of operating privilege upon acceptance of
13 Accelerative Rehabilitative Disposition.

14 The department shall suspend the operating privilege of any
15 person:

16 (1) for one year if the person was arrested for any
17 offense enumerated in section 1532(a) (relating to revocation
18 of operating privilege) and was offered and accepted
19 Accelerative Rehabilitative Disposition under the
20 Pennsylvania Rules of Criminal Procedure; or

21 (2) for six months if the person was arrested for any
22 misdemeanor under this title and was offered and accepted
23 Accelerative Rehabilitative Disposition under the
24 Pennsylvania Rules of Criminal Procedure.

25 § 1535. Schedule of convictions and points.

26 A point system for driver education and control is hereby
27 established which is related to other provisions for use,
28 suspension and revocation of the operating privilege as
29 specified under this title. Every driver licensed in this
30 Commonwealth who is convicted of any of the following offenses

1 shall be assessed points as of the date of violation in
 2 accordance with the following schedule:

3	Section Number	Offense	Points
4	1512	Violation of restriction on	
5		driver's license.	2
6	1571	Violations concerning licenses.	3
7	3102	Failure to obey policeman or	
8		authorized person.	2
9	3112(a)(3)(i)	Failure to stop for a red light.	4
10	3114(a)(1)	Failure to stop for a flashing	
11		red light.	4
12	3302	Failure to yield half of roadway	
13		to oncoming vehicle.	3
14	3306(a)(1)	Improper passing at crest of grade	
15		or on curve.	5
16	3303	Other improper passing.	3
17	3304	Other improper passing.	3
18	3305	Other improper passing.	3
19	3306(a)(2)	Other improper passing.	3
20	3306(a)(3)	Other improper passing.	3
21	3307	Other improper passing.	3
22	3310	Following too closely.	4
23	3321	Failure to yield to driver on the	
24		right at intersection.	3
25	3322	Failure to yield to oncoming driver	
26		when making left turn.	3
27	3323(b)	Failure to stop for stop signs.	4
28	3324	Failure to yield when entering or	
29		crossing roadway between intersections.	3
30	3332	Improper turning around.	3

1	3341	Failure to stop for flashing red	
2		lights or gate at railroad crossing.	3
3	3344	Failure to stop when entering from	
4		alley, driveway or building.	3
5	3345(a)	Failure to stop for school bus	
6		with flashing red lights.	5
7		(and 30 days suspension)	
8	3361	Driving too fast for conditions.	4
9	3362	Exceeding maximum speed.--Over Limit:	
10		6-10	2
11		11-15	3
12		16-20	4
13		21-25	5
14		26-30	5
15		(and 15 days suspension)	
16		31-over	5
17		(and 30 days suspension)	
18	3366(b)	Exceeding special speed limit	
19		in school zones.	3
20	3366(c)	Exceeding special speed limit	
21		for trucks on downgrades.	3
22	3542(a)	Failure to yield to pedestrians in	
23		crosswalk.	2
24	3547	Failure to yield to pedestrian on	
25		sidewalk.	3
26	3549(a)	Failure to yield to blind pedestrian.	3
27	3702	Improper backing.	4
28	3712	Careless driving.	3
29	3745	Leaving scene of accident involving	
30		property damage only.	4

1 § 1536. Notice of assignment of points.

2 Whenever points are assigned to a driver's record, the
3 department shall send to that person at his last known address a
4 letter of notice pointing out the fact and emphasizing the
5 nature and effects of the point system. Failure to receive such
6 letter shall not prevent the suspension of the operating
7 privilege pursuant to this subchapter.

8 § 1537. Removal of points.

9 Points recorded against any person shall be removed at the
10 rate of three points per year for each year in which such person
11 has not committed any violation which results in the assignment
12 of points or any suspension or revocation under this chapter.
13 Removal of points is governed by the date of violation.

14 § 1538. School, examination or interview on accumulation of
15 points.

16 (a) Initial accumulation of six points.--When any person's
17 record for the first time shows as many as six points, the
18 department shall require the person to attend an approved driver
19 improvement school or undergo a special examination and shall so
20 notify the person in writing. Upon satisfactory attendance and
21 completion of the course or upon passing the special
22 examination, two points shall be removed from the person's
23 record. Failure to attend and satisfactorily complete the
24 requirements of driver improvement school shall result in the
25 suspension of such person's operating privilege for 60 days.
26 Failure to pass the examination shall result in the suspension
27 of the operating privilege until the examination has been
28 satisfactorily completed.

29 (b) Second accumulation of six points.--When any person's
30 record has been reduced below six points and for the second time

1 shows as many as six points, the department shall require the
2 person to undergo an examination as provided for in section 1508
3 and shall so notify the person in writing. Upon successfully
4 passing the examination, two points shall be removed from the
5 person's record. Failure to pass the examination shall result in
6 the suspension of such person's operating privilege until the
7 examination has been satisfactorily completed.

8 (c) Subsequent accumulations of six points.--When any
9 person's record has been reduced below six points and for the
10 third or subsequent time shows as many as six points, the
11 department may require the driver to submit to a departmental
12 hearing to determine whether the person's operating privilege
13 shall be suspended for a period not to exceed 15 days. Failure
14 to attend the hearing and to comply with the requirements of the
15 findings of the department hearing shall result in the
16 suspension of the operating privilege until the person has
17 complied.

18 (d) Accumulation of eleven points.--When any person's record
19 shows an accumulation of 11 points prior to completing any
20 requirement of this section, the department shall suspend the
21 operating privilege of the person in accordance with section
22 1539 (relating to suspension of operating privilege on
23 accumulation of points).

24 § 1539. Suspension of operating privilege on accumulation of
25 points.

26 (a) General rule.--When any person's record shows an
27 accumulation of 11 points or more, the department shall suspend
28 the operating privilege of the person as provided in subsection
29 (b).

30 (b) Duration of suspension.--The first suspension shall be

1 for a period of 5 days for each point, the second suspension
2 shall be for a period of 10 days for each point, the third
3 suspension shall be for a period of 15 days for each point and
4 any subsequent suspension shall be for a period of one year.

5 (c) Determination of subsequent suspensions.--Every
6 suspension and revocation under any provision of this subchapter
7 shall be counted in determining whether a suspension is a
8 second, third or subsequent suspension.

9 (d) Section not exclusive.--Suspension under this section is
10 in addition to any suspension mandated under section 1535
11 (relating to schedule of convictions and points).

12 § 1540. Surrender of license.

13 (a) Surrender to court.--Upon a conviction for any offense
14 which calls for mandatory revocation in accordance with section
15 1532 (relating to revocation of operating privilege) or upon
16 offer and acceptance of Accelerative Rehabilitative Disposition
17 under section 1534 (relating to suspension of operating
18 privilege upon acceptance of Accelerative Rehabilitative
19 Disposition), the court the court shall require the surrender to
20 the court of any driver's license then held by the defendant and
21 shall forward the driver's license together with a record of the
22 conviction or Accelerative or Rehabilitative Disposition to the
23 department.

24 (b) Surrender to department.--Upon the suspension of the
25 operating privilege of any person by the department, the
26 department shall forthwith notify the person in writing to
27 surrender his driver's license to the department for the term of
28 suspension.

29 § 1541. Period of revocation or suspension of operating
30 privilege.

1 (a) Commencement of period.--The period of revocation or
2 suspension of the operating privilege shall commence on the date
3 on which the driver's license was surrendered to and received by
4 the court or the department, as the case may be. The period of
5 revocation or suspension of a nonresident licensed driver or an
6 unlicensed driver shall commence on the date of conviction, or
7 in the case of a revocation or suspension without a conviction,
8 on a date determined by the department in accordance with its
9 regulations.

10 (b) Eligibility for restoration of operating privilege.--Any
11 person whose operating privilege has been revoked or suspended
12 shall not be eligible for the restoration of the operating
13 privilege until the expiration of the period of revocation or
14 suspension.

15 (c) Restoration of revoked operating privilege.--Any person
16 whose operating privilege has been revoked is not entitled to
17 automatic restoration of the operating privilege. Such person
18 may apply for a license if permitted under the provisions of
19 this chapter and shall be issued a learner's permit under
20 section 1505 (relating to learners' permits) upon expiration of
21 the revocation.

22 § 1542. Driving while operating privilege is suspended or
23 revoked.

24 (a) Offense defined.--Any person who drives a motor vehicle
25 on any highway of this Commonwealth at a time when the operating
26 privilege is suspended, revoked or recalled is guilty of a
27 misdemeanor of the third degree and shall, upon conviction, be
28 punished in accordance with section 6503 (relating to penalties
29 for misdemeanors).

30 (b) Extending existing suspension or revocation.--The

1 department, upon receiving a certified record of the conviction
2 of any person under this section upon a charge of driving a
3 vehicle while the operating privilege was suspended, shall
4 revoke such privilege for an additional period of six months
5 from the date the person would otherwise have been eligible to
6 be restored. If the conviction was upon a charge of driving
7 while the operating privilege was revoked, the department shall
8 extend the revocation for an additional period of one year from
9 the date the person would otherwise have been entitled to apply
10 for such privilege.

11 § 1543. Assignment of points for conviction in another state.

12 (a) General rule.--In the case of a conviction in another
13 state and if a reciprocity agreement exists with the state as
14 provided in Subchapter C of Chapter 61 (relating to
15 reciprocity), the department shall assign points when the
16 conviction, if committed in this Commonwealth, would result in
17 the assignment of points to the person's record.

18 (b) Hearing.--Upon receipt of notice of assignment of points
19 under this section, the person may request a hearing and the
20 department shall hold a hearing to determine if the assignment
21 of points would constitute an injustice. The request for hearing
22 shall operate as a supersedeas.

23 § 1544. Additional period of revocation or suspension.

24 (a) Additional point accumulation.--When any person's record
25 shows an accumulation of additional points during a period of
26 suspension or revocation, the department shall extend the
27 existing period of suspension or revocation at the rate of five
28 days for each additional point and the person shall be so
29 notified in writing.

30 (b) Additional suspension.--When any person's record shows

1 an additional suspension of the operating privilege assessed
2 during a period of suspension or revocation, the department
3 shall extend the existing period of suspension or revocation for
4 the appropriate period and the person shall be so notified in
5 writing.

6 (c) Revocation during suspension.--When any person's record
7 shows an additional conviction calling for revocation of the
8 operating privilege during a period of suspension, the
9 department shall add the appropriate revocation onto the period
10 of suspension and the person shall be so notified in writing.

11 (d) Revocation during revocation.--When any person's record
12 shows a conviction calling for revocation of the operating
13 privilege during a period of revocation, the department shall
14 extend the existing period of revocation for the appropriate
15 period and the person shall be so notified in writing.

16 § 1545. Restoration of operating privilege.

17 Upon the restoration of any person's operating privilege
18 which has been suspended or revoked pursuant to this subchapter,
19 such person's record shall show five points, except that any
20 additional points assessed against the person since the date of
21 the last conviction resulting in the suspension or revocation
22 shall be added to such five points unless the person has served
23 an additional period of suspension or revocation pursuant to
24 section 1544(a) (relating to additional period of revocation or
25 suspension).

26 § 1546. Suspension or revocation of nonresident's operating
27 privilege.

28 (a) General rule.--The privilege of driving a motor vehicle
29 on the highways of this Commonwealth given to a nonresident
30 shall be subject to suspension or revocation by the department

1 in like manner and for like cause as a resident's operating
2 privilege.

3 (b) Transmitting conviction record to state of residence.--
4 The department shall, upon receiving a record of the conviction
5 in this Commonwealth of a nonresident driver of a motor vehicle
6 of any offense, forward a certified copy of the record to the
7 motor vehicle administrator in the state wherein the person so
8 convicted is a resident if there is a reciprocity agreement with
9 the other state.

10 (c) Transmitting department action to state of residence.--
11 When a nonresident's operating privilege is suspended or
12 revoked, the department shall forward a certified copy of the
13 record of such action to the motor vehicle administrator in the
14 state wherein such person resides if there is a reciprocity
15 agreement with the other state.

16 § 1547. Suspension or revocation for conviction in another
17 state.

18 (a) General rule.--The department shall suspend or revoke
19 the operating privilege of any resident of this Commonwealth or
20 the privilege of a nonresident to drive a motor vehicle in this
21 Commonwealth upon receiving notice of the conviction of the
22 person in another state of an offense which, if committed in
23 this Commonwealth, would be ground for a suspension or
24 revocation of the operating privilege if there is a reciprocity
25 agreement with the other state.

26 (b) Hearing.--Upon receipt of notice of suspension or
27 revocation under this section, the person may request a hearing
28 and the department shall hold a hearing to determine if the
29 suspension or revocation of his operating privilege would
30 constitute an injustice. The request for a hearing shall operate

1 as a supersedeas.

2 § 1548. Chemical test to determine amount of alcohol.

3 (a) General rule.--Any person who operates a motor vehicle
4 in this Commonwealth shall be deemed to have given consent to a
5 chemical test of breath or blood for the purpose of determining
6 the alcoholic content of blood if a police officer shall have
7 reasonable grounds to believe the person to have been driving a
8 motor vehicle while under the influence of alcohol. The test
9 shall be administered by qualified personnel and with equipment
10 approved by the department. Qualified personnel means a
11 physician or a technician acting under the physician's direction
12 or a police officer who has fulfilled the training requirements
13 in the use of such equipment in a training program approved by
14 the department.

15 (b) Suspension for refusal.--If any person is requested to
16 submit to a chemical test and refuses to do so, the test shall
17 not be given but upon notice by the police officer, the
18 department shall suspend the operating privilege of the person
19 for a period of six months. It shall be the duty of the police
20 officer to inform the person that the person's operating
21 privilege will be suspended if such person refuses to submit to
22 a chemical test. Any person whose operating privilege is
23 suspended under the provisions of this section shall have the
24 same right of appeal as provided for in cases of suspension for
25 other reasons.

26 (c) Test results admissible in evidence.--In any summary
27 proceeding or criminal proceeding in which the defendant is
28 charged with driving a motor vehicle while under the influence
29 of alcohol, the amount of alcohol in the defendant's blood, as
30 shown by a chemical analysis of his breath or blood, which

1 analysis was conducted with equipment approved by the department
2 and operated by qualified personnel, shall be admissible in
3 evidence.

4 (d) Presumptions from amount of alcohol.--If chemical
5 analysis of a person's breath or blood shows:

6 (1) that the amount of alcohol by weight in the blood of
7 the person tested is 0.05% or less, it shall be presumed that
8 the person tested was not under influence of alcohol and the
9 person shall not be charged with any violation under section
10 3732(a)(1) or (2) (relating to driving under influence of
11 alcohol or controlled substance), or if the person was so
12 charged prior to the test, the charge shall be void ab
13 initio; or

14 (2) that the amount of alcohol by weight in the blood of
15 the person tested is in excess of 0.05% but less than 0.10%,
16 this fact shall not give rise to any presumption that the
17 person tested was or was not under the influence of alcohol,
18 but this fact may be considered with other competent evidence
19 in determining whether the person was or was not under the
20 influence of alcohol.

21 (e) Other evidence admissible.--Subsections (a) through (d)
22 shall not be construed as limiting the introduction of any other
23 competent evidence bearing upon the question whether or not the
24 defendant was under the influence of alcohol.

25 (f) Test results available to defendant.--Upon the request
26 of the person tested, the results of any chemical test shall be
27 made available to him or his attorney.

28 (g) Blood test in lieu of breath test.--If for any reason a
29 person is physically unable to supply enough breath to complete
30 a chemical test, a physician or a technician acting under the

1 physician's direction may withdraw blood for the purpose of
2 determining its alcoholic content. The chemical analysis of the
3 blood taken under these circumstances shall be admissible in
4 evidence in the same manner as are the results of the breath
5 chemical test. The operating privilege of any person who refuses
6 to allow a blood test under the above circumstances shall be
7 suspended pursuant to subsection (b).

8 (h) Test by personal physician.--The person tested shall be
9 permitted to have a physician of his own choosing administer an
10 additional breath or blood chemical test and the results of the
11 test shall also be admissible in evidence. The chemical test
12 given at the direction of the police officer shall not be
13 delayed by a person's attempt to obtain an additional test.

14 (i) Request by driver for test.--Any person involved in an
15 accident or placed under arrest for driving a motor vehicle
16 while under the influence of alcohol may request that he be
17 given a chemical test of his breath. Such requests shall be
18 honored when it is reasonably practicable to do so.

19 § 1549. Post conviction examination for driving under
20 influence.

21 (a) Pre-sentencing examination.--Before sentencing any
22 person convicted for a second or subsequent offense of violating
23 section 3732 (relating to driving under influence of alcohol or
24 controlled substance) committed within five years of a prior
25 offense of section 3732, the court shall conduct or order an
26 appropriate examination or examinations to determine whether the
27 person needs or would benefit from treatment for alcohol or drug
28 abuse.

29 (b) Order for treatment.--After the examination, the court
30 may, upon a hearing and determination that the person is an

1 habitual user of alcohol or drugs, order supervised treatment on
2 an outpatient basis, or upon additional determinations that the
3 person constitutes a danger to himself or others and that
4 adequate treatment facilities are available, the court may order
5 him committed for treatment at a facility or institution
6 approved by the Governor's Council on Drug and Alcohol Abuse. No
7 commitment or supervised treatment on an outpatient basis shall
8 exceed one year.

9 (c) Examination by own physician.--Any person subject to
10 this section may be examined by a physician of his own choosing
11 and the results of the examination shall be considered by the
12 court.

13 (d) Review of order.--Upon motion duly made by the convicted
14 person, an attorney, a relative or an attending physician, the
15 court at any time after an order of commitment shall review the
16 order. After determining the progress of treatment, the court
17 may order its continuation, the person's release or supervised
18 treatment on an outpatient basis.

19 § 1550. Establishment of schools.

20 (a) Driver improvement schools.--The department is
21 authorized to establish and maintain driver improvement schools
22 throughout this Commonwealth. The department shall approve and
23 conduct an annual review of the course material for the schools.
24 The curriculum to be presented must be uniform throughout this
25 Commonwealth. All instructors shall be properly certified by the
26 department.

27 (b) Course of instruction on alcohol and driving.--The
28 department in conjunction with the Governor's Council on Drug
29 and Alcohol Abuse shall establish and maintain a course of
30 instruction on the problems of alcohol and driving. The

1 curriculum of the course of instruction established by the
2 department and the Governor's Council on Drug and Alcohol Abuse
3 shall be uniform throughout this Commonwealth and shall be
4 reviewed by the department on an annual basis. This course shall
5 be applicable to persons with no prior convictions for driving
6 or being in actual physical control of a motor vehicle while
7 under the influence of alcohol or any controlled substance.

8 § 1551. Appeal to court.

9 (a) General rule.--Any person denied a driver's license or
10 whose operating privilege has been canceled, suspended or
11 revoked by the department shall have the right to appeal by
12 filing a petition within 30 days from the date notice is mailed
13 for a hearing in the court of common pleas of the county in
14 which the driver resides or, in the case of cancellation,
15 suspension or revocation of a nonresident's operating privilege,
16 in the county in which the offense giving rise to the
17 cancellation, suspension or revocation occurred.

18 (b) Supersedeas.--The filing of the petition shall operate
19 as a supersedeas and no suspension, cancellation or revocation
20 shall be imposed against such person until final determination
21 of the matter.

22 (c) Jurisdiction and proceedings of court.--The court is
23 hereby vested with jurisdiction and it shall be its duty to set
24 the matter for hearing forthwith upon 30 days written notice to
25 the department and to determine whether the petitioner is in
26 fact the person whose operating privilege is subject to the
27 suspension, cancellation or revocation.

28 SUBCHAPTER C

29 VIOLATIONS

30 Sec.

1 1571. Violations concerning licenses.

2 1572. Cancellation of driver's license.

3 1573. Driving under foreign license during suspension or
4 revocation.

5 1574. Permitting unauthorized person to drive.

6 1575. Permitting violation of title.

7 1576. Local authorities liable for negligence of their
8 employees.

9 § 1571. Violations concerning licenses.

10 (a) Offenses defined.--It is unlawful for any person:

11 (1) To exhibit or cause or permit to be exhibited or
12 have in possession any canceled, suspended, revoked,
13 fictitious or fraudulently altered driver's license.

14 (2) To lend a driver's license to any other person or
15 knowingly permit the use thereof by another.

16 (3) To exhibit or represent as one's own any driver's
17 license not issued to the person.

18 (4) To fail or refuse to surrender to the department
19 upon lawful demand a canceled, suspended, revoked, fictitious
20 or fraudulently altered driver's license.

21 (b) Penalty.--Any person violating any of the provisions of
22 this section is guilty of a summary offense and shall, upon
23 conviction, be sentenced to pay a fine of not less than \$50.

24 § 1572. Cancellation of driver's license.

25 The department may cancel any driver's license upon
26 determining that the licensee was not entitled to the issuance
27 or that the person failed to give the required or correct
28 information or committed fraud in making the application or in
29 obtaining the license or the fee has not been paid. Upon the
30 cancellation, the licensee shall immediately surrender the

1 canceled license to the department.

2 § 1573. Driving under foreign license during suspension or
3 revocation.

4 Any resident or nonresident whose operating privilege to
5 drive a motor vehicle in this Commonwealth has been suspended or
6 revoked as provided in this title shall not drive a motor
7 vehicle in this Commonwealth under a license or permit issued by
8 any other jurisdiction or otherwise during the suspension or
9 after the revocation until a new driver's license is obtained
10 when and as permitted under this chapter.

11 § 1574. Permitting unauthorized person to drive.

12 (a) General rule.--No person shall authorize or knowingly
13 permit a motor vehicle owned by him or under his control to be
14 driven upon any highway by any person who is not authorized
15 under this chapter or who is not licensed for the type or class
16 of vehicle to be driven.

17 (b) Penalty.--Any person violating the provisions of
18 subsection (a) is guilty of a summary offense and shall be
19 jointly and severally liable with the driver for any damages
20 caused by the negligence of such driver in operating the
21 vehicle.

22 § 1575. Permitting violation of title.

23 (a) General rule.--No person shall authorize or knowingly
24 permit a motor vehicle owned by him or under his control to be
25 driven in violation of any of the provisions of this title.

26 (b) Penalty.--Any person violating the provisions of
27 subsection (a) is guilty of the same offense as the driver of
28 such vehicle and subject to the same penalties including any
29 suspension or revocation of the operating privilege or the
30 assessment of points.

1 § 1576. Local authorities liable for negligence of their
2 employees.

3 Every local authority within this Commonwealth shall be
4 jointly and severally liable with any employee for damages
5 caused by the negligence of the employee while operating a motor
6 vehicle or fire department equipment upon a highway in the
7 course of his employment. Every local authority shall also be
8 jointly and severally liable with any member of a volunteer fire
9 company for any damage caused by the negligence of the member
10 while operating a motor vehicle or fire department equipment
11 used by or belonging to the volunteer fire company while going
12 to, attending or returning from a fire or while engaged in any
13 other proper use of the motor vehicle or fire department
14 equipment for the volunteer fire company.

15 CHAPTER 17

16 FINANCIAL RESPONSIBILITY

17 Subchapter

18 A. General Provisions

19 B. Deposit of Security

20 C. Proof of Future Responsibility

21 SUBCHAPTER A

22 GENERAL PROVISIONS

23 Sec.

24 1701. Application of chapter.

25 1702. Administration of chapter.

26 1703. Availability of other remedies.

27 1704. Transfer of suspended registration to evade chapter.

28 § 1701. Application of chapter.

29 This chapter does not apply with respect to any motor vehicle
30 owned by the United States, the Commonwealth or any political

1 subdivision.

2 § 1702. Administration of chapter.

3 The department shall administer and enforce the provisions of
4 this chapter and may make rules and regulations necessary for
5 the administration of this chapter.

6 § 1703. Availability of other remedies.

7 This chapter shall not be construed as preventing the
8 plaintiff in any action at law from relying for relief upon
9 other remedies provided by law.

10 § 1704. Transfer of suspended registration to evade chapter.

11 (a) General rule.--If the registrations of any vehicles are
12 suspended under this chapter, the registrations shall not be
13 transferred, nor the vehicles registered in any other name,
14 until the department is satisfied that the transfer of
15 registrations is proposed in good faith and not for the purpose
16 or with the effect of defeating the purposes of this chapter.

17 (b) Sale of repossessed vehicle.--This section does not
18 apply to or affect the registration of any motor vehicle sold by
19 a person who, pursuant to the terms or conditions of any written
20 instrument giving a right of repossession, has exercised such
21 right and has repossessed the motor vehicle from a person whose
22 registration has been suspended under the provisions of this
23 chapter.

24 (c) Rights of lienholders and lessors.--This chapter does
25 not in any way affect the rights of any conditional vendor,
26 chattel mortgagee or lessor of a motor vehicle registered in the
27 name of another person who becomes subject to the provisions of
28 this chapter.

29 SUBCHAPTER B

30 DEPOSIT OF SECURITY

1 Sec.

2 1721. Deposit of security following accident.

3 1722. Suspension of license of resident involved in
4 accident in another state.

5 1723. Exceptions to security requirements.

6 1724. Duration of suspension.

7 1725. Coverage and revision of security.

8 1726. Custody, disposition and return of security.

9 1727. Matters not evidence in civil actions.

10 1728. Appeal to court from action of department.

11 § 1721. Deposit of security following accident.

12 (a) Determination of amount.--If, 20 days after the receipt
13 of a report of a motor vehicle accident within this Commonwealth
14 as provided for in Subchapter C of Chapter 37 (relating to
15 accidents and accident reports), the department does not have on
16 file satisfactory evidence that the person who would otherwise
17 be required to file security under subsection (b) has been
18 released from liability, has been finally adjudicated not to be
19 liable, has executed a warrant for confession of judgment or
20 written agreement providing for payment of all claims for
21 injuries or damages resulting from the accident in such manner
22 as the parties have agreed, the department shall determine the
23 amount of security which in its judgment shall be sufficient to
24 satisfy any judgment or judgments that may be recovered against
25 each driver or owner for damages resulting from the accident
26 upon the basis of reports, information or other evidence
27 submitted to or obtained by the department.

28 (b) Suspensions for failure to deposit security.--The
29 department shall, within 60 days after the receipt of a report
30 of a motor vehicle accident, suspend the operating privilege of

1 each driver and all registrations of each owner of a motor
2 vehicle in any manner involved in such accident; and if such
3 owner is a nonresident, the privilege of using within this
4 Commonwealth any motor vehicle owned by him, unless the driver
5 or owner or both shall deposit security in the sum determined by
6 the department. Notice of the suspension shall be sent by the
7 department to the driver and owner not less than ten days prior
8 to the effective date of the suspension and shall state the
9 amount required as security. Where erroneous information is
10 given the department with respect to the matters set forth in
11 subsection (c), it shall take appropriate action, as provided in
12 this section, within 60 days after receipt of correct
13 information with respect to such matters.

14 (c) Exceptions.--This section does not apply under the
15 conditions stated in section 1723 (relating to exceptions to
16 security requirements) or to any of the following:

17 (1) The driver or owner, if the owner had in effect at
18 the time of such accident, the motor vehicle insurance
19 required in section 104 of the act of July 19, 1974 (P.L.489,
20 No.176), known as the "Pennsylvania No-fault Motor Vehicle
21 Insurance Act," covering the motor vehicle involved in the
22 accident.

23 (2) The driver, if not the owner of the motor vehicle,
24 if at the time of the accident the driver's operation of the
25 motor vehicle was covered by the motor vehicle insurance
26 required in section 104 of the "Pennsylvania No-fault Motor
27 Vehicle Insurance Act."

28 (3) The driver or owner if the liability of the driver
29 or owner for damages resulting from such accident is, in the
30 judgment of the department, covered by any other form of

1 liability insurance policy or bond, in an amount sufficient
2 to satisfy any judgment or judgments as determined by the
3 department in accordance with subsection (a), or in the
4 amounts provided in section 104 (a) of the "Pennsylvania No-
5 fault Motor Vehicle Insurance Act," whichever is less.

6 (d) Cash or bond as security.--Security required under
7 subsection (b) shall be in the form of cash or a bond issued by
8 surety company authorized to do business in this Commonwealth
9 or, if not authorized to do business in this Commonwealth, if
10 the surety company shall execute a power of attorney authorizing
11 the department to accept service on its behalf of notice or
12 process in any action upon the arising out of the accident.
13 Security shall be in an amount sufficient to satisfy any
14 judgment or judgments as determined by the department in
15 accordance with subsection (a), or in the amounts provided in
16 section 104 (a) of the "Pennsylvania No-fault Motor Vehicle
17 Insurance Act," whichever is less.

18 § 1722. Suspension of license of resident involved in accident
19 in another state.

20 Upon receipt of certification that the operating privilege of
21 a resident of this Commonwealth has been suspended in any other
22 state pursuant to a law providing for suspension for failure to
23 deposit security for the payment of judgments arising out of a
24 motor vehicle accident under circumstances which would require
25 the department to suspend a nonresident's operating privilege
26 had the accident occurred in this Commonwealth, and if the law
27 of the state contains reciprocal provisions, the department
28 shall suspend the operating privilege of the resident if he was
29 the driver and involved in the accident. The suspension shall
30 continue until the resident furnishes evidence of his compliance

1 with the law of the other state relating to the deposit of
2 security.

3 § 1723. Exceptions to security requirements.

4 The requirements as to security and suspension of section
5 1721 (relating to deposit of security following accident) do not
6 apply to any of the following:

7 (1) The driver and the owner of a motor vehicle involved
8 in an accident in which no injury or damage was caused to the
9 person or property of persons other than the driver or owner.

10 (2) The driver and the owner of a motor vehicle legally
11 parked at the time of the accident.

12 (3) The owner of a motor vehicle if at the time of the
13 accident the vehicle was being operated without his
14 permission, express or implied, or was parked by a person who
15 had been operating the motor vehicle without such permission.

16 (4) If prior to the date that the department would
17 otherwise suspend the operating privilege and registrations
18 under section 1721 evidence is filed with the department
19 indicating to its satisfaction that the person who would
20 otherwise have to file security has been released from
21 liability, or has been finally adjudicated not to be liable,
22 or has executed a warrant for confession of judgment or a
23 written agreement acceptable to the injured parties, for
24 payment of all claims for injuries or damages resulting from
25 one accident in such manner as the parties have agreed.

26 (5) In the event a person involved in an accident as
27 described in this chapter fails to submit any information
28 requested by the department indicating the extent of his
29 injuries or the damage to his property, within 50 days after
30 the accident, and the department does not have sufficient

evidence on which to base an evaluation of the injuries or damage, then the department, after reasonable notice to such person if it is possible to give such notice, otherwise without such notice, shall not require any deposit of security for the benefit or protection of such person.

§ 1724. Duration of suspension.

(a) General rule.--The operating privilege and registrations suspended as provided in section 1721 (relating to deposit of security following accident) shall remain suspended and shall not be renewed nor any registration be issued to the person affected until:

(1) such person deposits or has deposited on his behalf the security required under section 1721;

(2) two years shall have elapsed following the date of the accident and evidence satisfactory to the department has been filed that no action for damages arising from the accident has been instituted; or

(3) evidence satisfactory to the department has been filed of a release from liability, a final adjudication of nonliability, or a warrant for confession of judgment or written agreement providing for payment of all claims for injuries or damages resulting from the accident in such manner as the parties have agreed.

(b) Default in payment of installment.--Upon notice of any default in the payment of any installment:

(1) under any confession of judgment, the department shall suspend the driver's privilege and the owner's registrations or of the person defaulting, which shall not be restored unless and until the entire amount provided for in the confession of judgment has been paid; or

1 (2) under any written agreement, the department shall
2 suspend the driver's privilege and the owner's registrations
3 or of the person defaulting, which shall not be restored
4 unless and until:

5 (i) such person deposits and thereafter maintains
6 security as required under section 1721 in such amount as
7 the department may then determine; or

8 (ii) two years have elapsed following the date of
9 the accident and no action upon the agreement has been
10 instituted in a court in this Commonwealth.

11 § 1725. Coverage and revision of security.

12 (a) Designation of persons covered.--A person depositing
13 security in accordance with section 1721 (relating to deposit of
14 security following accident) shall specify in writing the person
15 or persons on whose behalf the deposit is made, and at any time
16 while the deposit is in the custody of the department or State
17 Treasurer the person depositing it may, in writing, amend the
18 specification of the person or persons on whose behalf the
19 deposit is made to include an additional person or persons. A
20 single deposit of security shall be applicable only on behalf of
21 persons required to furnish security because of the same
22 accident.

23 (b) Subsequent change of amount.--The department may change
24 the amount of security ordered upon the production of evidence
25 as to the probable measure of damages, if, in its judgment, the
26 amount ordered is excessive or insufficient. In case the
27 security originally ordered has been deposited, the excess
28 deposited over the reduced amount ordered shall be returned to
29 the depositor or his personal representative notwithstanding the
30 provisions of section 1726 (relating to custody, disposition and

1 return of security). In case the security originally deposited
2 is found to be insufficient, the deficiency under the increased
3 amount ordered shall be deposited or, in default thereof, the
4 driver or owner or both shall be subject to the provisions of
5 section 1721(b).

6 § 1726. Custody, disposition and return of security.

7 Security deposited in compliance with the requirements of
8 this chapter shall be placed by the department in the custody of
9 the State Treasurer and shall be applicable only to the payment
10 of a judgment or judgments rendered against the person or
11 persons on whose behalf the deposit was made for damages arising
12 out of the accident in question in an action at law. The
13 deposit, or any balance thereof, shall be returned to the
14 depositor or his personal representative when evidence,
15 satisfactory to the department, has been filed that there has
16 been a release from liability, or a final adjudication of
17 nonliability, the driver or owner, if the liability of the
18 driver or owner for damages resulting from such accident is, in
19 the judgment of the department, covered by any other form of
20 liability insurance policy or bond in an amount sufficient to
21 satisfy any judgment or judgments as determined by the
22 department in accordance with subsection (a), or in the amounts
23 provided in section 104 of the "Pennsylvania No-fault Motor
24 Vehicle Insurance Act," whichever is less, or when after the
25 expiration of two years following the date of the accident and
26 evidence satisfactory to the department has been filed that no
27 action for damages arising from such accident has been
28 instituted.

29 § 1727. Matters not evidence in civil actions.

30 Neither the required report, the action taken by the

1 department pursuant to this chapter, the findings, if any, of
2 the department upon which action is based nor the security filed
3 as provided in section 1721 (relating to deposit of security
4 following accident) shall be referred to in any way nor be any
5 evidence of the negligence or due care of either party at the
6 trial of any action at law to recover damages.

7 § 1728. Appeal to court from action of department.

8 Any person aggrieved by an order or action of the department
9 under this subchapter shall have the same right of appeal as
10 provided in section 1551 (relating to appeal to court).

11 SUBCHAPTER C

12 PROOF OF FUTURE RESPONSIBILITY

13 Sec.

14 1741. Court reports on nonpayment of judgments.

15 1742. Suspension for nonpayment of judgments.

16 1743. Continuation of suspension until judgments paid and
17 proof given.

18 1744. Payments sufficient to satisfy judgments.

19 1745. Installment payment of judgments.

20 1746. Proof of financial responsibility after suspension or
21 revocation.

22 1747. Providing financial responsibility.

23 § 1741. Court reports on nonpayment of judgments.

24 (a) General rule.--Whenever any person fails within 60 days
25 to satisfy any judgment arising from a motor vehicle accident,
26 the prothonotary of the court in which the judgment is rendered
27 shall immediately forward to the department a certified copy of
28 the judgment.

29 (b) Notice to state of nonresident defendant.--If the
30 defendant named in any certified copy of a judgment reported to

1 the department is a nonresident, the department shall transmit a
2 certified copy of the judgment to the official in charge of the
3 issuance of licenses and registration certificates of the state
4 of which the defendant is a resident.

5 § 1742. Suspension for nonpayment of judgments.

6 (a) General rule.--The department, upon receipt of a
7 certified copy of a judgment, shall suspend the operating
8 privilege of each driver and registration of each owner against
9 whom the judgment was rendered except as otherwise provided in
10 this section and in section 1745 (relating to installment
11 payment of judgments).

12 (b) Nonsuspension with consent of judgment creditor.--If the
13 judgment creditor consents in writing, in such form as the
14 department may prescribe, that the judgment debtor's operating
15 privilege and registrations be retained or restored, the
16 department shall not suspend or restore for six months from the
17 date of the consent, and thereafter until the consent is revoked
18 in writing, notwithstanding default in the payment of the
19 judgment, or of any installment thereof prescribed in section
20 1745, provided the judgment debtor furnishes proof of financial
21 responsibility.

22 (c) Insurance in effect at time of accident.--Any person
23 whose operating privilege or registrations have been suspended,
24 or are about to be suspended or become subject to suspension,
25 under the provisions of this chapter, shall be relieved from the
26 effect of the judgment as prescribed in this chapter if the
27 person files evidence satisfactory to the department that the
28 insurance required by section 401 (a) of the "Pennsylvania No-
29 fault Motor Vehicle Insurance Act," was in force and effect at
30 the time of the accident resulting in the judgment and is or

1 should be available for the satisfaction of the judgment. If the
2 required insurance is not available because the insurance
3 company has gone into receivership or bankruptcy, the person
4 shall only be required to present to or file with the department
5 proper evidence that an insurance policy was in force and effect
6 at the time of the accident.

7 § 1743. Continuation of suspension until judgments paid and
8 proof given.

9 A person's operating privilege and all registrations shall
10 remain suspended and shall not be renewed nor shall any
11 registration be thereafter issued in the name of such person
12 unless and until every such judgment is stayed, satisfied in
13 full or to the extent provided in this subchapter, and until the
14 person furnishes proof of financial responsibility as required.

15 § 1744. Payments sufficient to satisfy judgments.

16 (a) General rule.--Judgments shall for the purpose of this
17 chapter only be deemed satisfied upon occurrence of one of the
18 following:

19 (1) When \$15,000 has been credited upon any judgment or
20 judgments rendered in excess of that amount because of bodily
21 injury to or death of one person as the result of any one
22 accident.

23 (2) When \$20,000 has been credited upon any judgment or
24 judgments rendered in excess of that amount because of bodily
25 injury to or death of two or more persons as the result of
26 any one accident.

27 (3) When \$5,000 has been credited upon any judgment or
28 judgments rendered in excess of that amount because of injury
29 to or destruction of property of others as the result of any
30 one accident.

1 (b) Credit for payment under settlement.--Payments made in
2 settlement of any claims because of bodily injury, death or
3 property damage arising from a motor vehicle accident shall be
4 credited in reduction of the amounts provided for in this
5 section.

6 (c) Escrow deposit by judgment creditor.--When the judgment
7 creditor cannot be found, the judgment debtor may deposit in
8 escrow with the prothonotary of the court where the judgment was
9 entered an amount equal to the amount of the judgment, subject
10 to the limits set forth in subsection (a), interest to date and
11 record costs, whereupon the prothonotary shall notify the
12 department and the judgment shall be deemed satisfied. The
13 amount deposited shall be retained by the prothonotary for a
14 period of five years from the date of the deposit, after which,
15 if it has not been claimed by the judgment creditor, it shall be
16 returned to the judgment debtor. When the deposit is made, the
17 prothonotary shall notify the judgment creditor and his counsel,
18 if any, by certified or registered mail at his last known
19 address. No interest shall run on any judgment with respect to
20 the amount deposited with the prothonotary under the terms of
21 this subsection.

22 § 1745. Installment payment of judgments.

23 (a) Order authorizing installment payment.--A judgment
24 debtor, upon due notice to the judgment creditor, may apply to
25 the court in which the judgment was rendered for the privilege
26 of paying the judgment in installments and the court, in its
27 discretion and without prejudice to any other legal remedies
28 which the judgment creditor may have, may so order and fix the
29 amounts and times of payment of the installments.

30 (b) Suspension prohibited during compliance with order.--The

1 department shall not suspend a driver's operating privilege or
2 registrations and shall restore any operating privilege or
3 registration suspended following nonpayment of a judgment when
4 the judgment debtor obtains an order permitting payment of the
5 judgment in installments and while the payment of any
6 installment is not in default, provided that the judgment debtor
7 furnishes proof of financial responsibility.

8 (c) Suspension for default in payment.--In the event the
9 judgment debtor fails to pay any installment as specified by the
10 order, then, upon notice of the default, the department shall
11 suspend the operating privilege and all registrations of the
12 judgment debtor until the judgment is satisfied as provided in
13 this chapter.

14 § 1746. Proof of financial responsibility after suspension or
15 revocation.

16 Whenever the department suspends or revokes the operating
17 privilege of any person upon receiving record of a conviction or
18 forfeiture of bail, the department shall not restore the
19 operating privilege until the person furnishes proof of
20 financial responsibility.

21 § 1747. Providing financial responsibility.

22 (a) General rule.--Proof of financial responsibility may be
23 furnished by filing evidence satisfactory to the department that
24 all motor vehicles registered in a person's name are covered by
25 the insurance required in section 104 of the act of July 18,
26 1974 (P.L.489, No.176), known as the "Pennsylvania No-fault
27 Motor Vehicle Insurance Act"; or, if the person has no motor
28 vehicle, that the person is covered by a non-owner's policy
29 having the same limits of liability as are required in section
30 104 of that act.

PART III

OPERATION OF VEHICLES

Chapter

31. General Provisions

33. Rules of the Road in General

35. Special Vehicles and Pedestrians

37. Miscellaneous Provisions.

CHAPTER 31

GENERAL PROVISIONS

Subchapter

A. Obedience To and Effect of Traffic Laws

B. Traffic-control Devices

SUBCHAPTER A

OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS

Sec.

3101. Application of part.

3102. Obedience to authorized persons directing traffic.

3103. Persons riding animals or driving animal-drawn vehicles.

3104. Persons working on highways.

3105. Drivers of emergency vehicles.

3106. Operators of streetcars.

§ 3101. Application of part.

(a) General rule.--Except as provided in subsection (b), the provisions of this part relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except where a different place is specifically referred to in a particular provision.

(b) Serious traffic offenses.--The provisions of Subchapter B of Chapter 37 (relating to serious traffic offenses) shall apply upon highways and elsewhere throughout this Commonwealth.

1 § 3102. Obedience to authorized persons directing traffic.

2 No person shall wilfully fail or refuse to comply with any
3 lawful order or direction of any uniformed police officer or any
4 appropriately attired person authorized to direct, control or
5 regulate traffic.

6 § 3103. Persons riding animals or driving animal-drawn
7 vehicles.

8 (a) General rule.--Every person riding an animal or driving
9 any animal-drawn vehicle upon a roadway shall be granted all of
10 the rights and shall be subject to all of the duties applicable
11 to the driver of a vehicle by this part, except those provisions
12 of this part which by their very nature can have no application
13 or where specifically provided otherwise.

14 (b) Limited-access highways.--No person shall ride an animal
15 or drive any animal-drawn vehicle upon a limited-access highway.

16 § 3104. Persons working on highways.

17 Unless specifically made applicable, the provisions of this
18 part, except those contained in Subchapter B of Chapter 37
19 (relating to serious traffic offenses), shall not apply to
20 persons, motor vehicles, and equipment while actually engaged in
21 work upon a highway but shall apply to such persons and vehicles
22 when traveling to or from such work.

23 § 3105. Drivers of emergency vehicles.

24 (a) General rule.--The driver of an emergency vehicle, when
25 responding to an emergency call or when in the pursuit of an
26 actual or suspected violator of the law or when responding to
27 but not upon returning from a fire alarm, may exercise the
28 privileges set forth in this section, but subject to the
29 conditions stated in this section.

30 (b) Exercise of special privileges.--The driver of an

1 emergency vehicle may:

2 (1) Park or stand, irrespective of the provisions of
3 this part.

4 (2) Proceed past a red signal indication or stop sign,
5 but only after slowing down as may be necessary for safe
6 operation, except as provided in subsection (d).

7 (3) Exceed the maximum speed limits so long as the
8 driver does not endanger life or property.

9 (4) Disregard regulations governing direction of
10 movement or turning in specified directions.

11 (c) Audible and visual signals required.--The privileges
12 granted in this section to an emergency vehicle shall apply only
13 when the vehicle is making use of an audible signal and visual
14 signals meeting the requirements and standards set forth in
15 regulations adopted by the department, except that an emergency
16 vehicle operated as a police vehicle need not be equipped with
17 or display the visual signals.

18 (d) Ambulances to stop at stop intersections.--The driver of
19 an ambulance when responding to an emergency call shall comply
20 with a red signal indication or stop sign. After ascertaining
21 that the ambulance will be given the right-of-way, the ambulance
22 driver may proceed through the red signal indication or stop
23 sign.

24 (e) Exercise of care.--This section does not relieve the
25 driver of an emergency vehicle from the duty to drive with due
26 regard for the safety of all persons.

27 § 3106. Operators of streetcars.

28 Every operator of a streetcar upon any roadway shall be
29 granted all of the rights and shall be subject to all of the
30 duties applicable to the driver of a vehicle by this title

1 except those provisions which by their nature can have no
2 application.

3 SUBCHAPTER B

4 TRAFFIC-CONTROL DEVICES

5 Sec.

6 3111. Obedience to traffic-control devices.

7 3112. Traffic-control signals.

8 3113. Pedestrian-control signals.

9 3114. Flashing signals.

10 3115. Lane-direction-control signals.

11 § 3111. Obedience to traffic-control devices.

12 (a) General rule.--Unless otherwise directed by a uniformed
13 police officer or any appropriately attired person authorized to
14 direct, control or regulate traffic, the driver of any vehicle
15 shall obey the instructions of any applicable official traffic-
16 control device placed in accordance with the provisions of this
17 title, subject to the privileges granted the driver of an
18 authorized emergency vehicle in this title.

19 (b) Proper position and legibility of device.--No provision
20 of this title for which official traffic-control devices are
21 required shall be enforced against an alleged violator if at the
22 time and place of the alleged violation an official device is
23 not in proper position and sufficiently legible to be seen by an
24 ordinarily observant person. Whenever a particular section does
25 not state that official traffic-control devices are required,
26 the section shall be effective even though no devices are
27 erected or in place.

28 (c) Presumption of authorized placement.--Whenever official
29 traffic-control devices are placed in position approximately
30 conforming to the requirements of this title, the devices shall

1 be presumed to have been so placed by the official act or
2 direction of lawful authority, unless the contrary shall be
3 established by competent evidence.

4 (d) Presumption of proper devices.--Any official traffic-
5 control device placed pursuant to the provisions of this title
6 and purporting to conform to the lawful requirements pertaining
7 to such devices shall be presumed to comply with the
8 requirements of this title, unless the contrary shall be
9 established by competent evidence.

10 § 3112. Traffic-control signals.

11 (a) General rule.--Whenever traffic is controlled by
12 traffic-control signals exhibiting different colored lights, or
13 colored lighted arrows, successively one at a time or in
14 combination, only the colors green, red and yellow shall be
15 used, except for special pedestrian signals carrying a word
16 legend, and the lights shall indicate and apply to drivers of
17 vehicles and pedestrians as follows:

18 (1) Green indication.--

19 (i) Vehicular traffic facing a circular green signal
20 may proceed straight through or turn right or left unless
21 a sign at such place prohibits either such turn except
22 that vehicular traffic, including vehicles turning right
23 or left, shall yield the right-of-way to other vehicles
24 and to pedestrians lawfully within the intersection or an
25 adjacent crosswalk at the time the signal is exhibited.

26 (ii) Vehicular traffic facing a green arrow signal,
27 shown alone or in combination with another indication,
28 may enter the intersection only to make the movement
29 indicated by the arrow, or such other movement as is
30 permitted by other indications shown at the same time.

Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(iii) Unless otherwise directed by a pedestrian-control signal as provided in section 3113 (relating to pedestrian-control signals), pedestrians facing any green signal may proceed across the roadway within a crosswalk.

(2) Steady yellow indication.--

(i) Vehicular traffic facing a steady yellow signal is thereby warned that the related green indication is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection.

(ii) Unless otherwise directed by a pedestrian-control signal as provided in section 3113, pedestrians facing a steady yellow signal are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(3) Steady red indication.--

(i) Vehicular traffic facing a steady red signal alone shall stop at a clearly marked stop line, or if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection and shall remain standing until an indication to proceed is shown except as provided in subparagraph (ii).

(ii) When a sign is in place permitting a turn, vehicular traffic facing a steady red signal may enter the intersection to turn right, or to turn left from a

1 one-way roadway onto a one-way roadway after stopping as
2 required by subparagraph (i). Such vehicular traffic
3 shall yield the right-of-way to pedestrians lawfully
4 within an adjacent crosswalk and to other traffic
5 lawfully using the intersection.

6 (iii) Unless otherwise directed by a pedestrian-
7 control signal as provided in section 3113, pedestrians
8 facing a steady red signal alone shall not enter the
9 roadway.

10 (b) Places other than intersections.--In the event an
11 official traffic-control signal is erected and maintained at a
12 place other than an intersection, the provisions of this section
13 shall be applicable except as to those provisions which by their
14 nature can have no application. Any stop required shall be made
15 at a sign or marking on the pavement indicating where the stop
16 shall be made, but in the absence of any such sign or marking
17 the stop shall be made at the signal.

18 (c) Inoperable or malfunctioning signal.--If a traffic
19 control signal is out of operation or is not functioning
20 properly, vehicular traffic facing a:

21 (1) Green or yellow signal may proceed with caution as
22 indicated in subsection (a)(1) and (2).

23 (2) Red signal shall stop in the same manner as at a
24 stop sign, and the right to proceed shall be subject to the
25 rules applicable after making a stop at a stop sign as
26 provided in section 3323 (relating to stop signs and yield
27 signs).

28 § 3113. Pedestrian-control signals.

29 Whenever special pedestrian-control signals exhibiting the
30 words "Walk" or "Don't Walk" are in place, the signals shall

1 indicate as follows:

2 (1) "Walk".--Pedestrians facing the signal may proceed
3 across the roadway in the direction of the signal and shall
4 be given the right-of-way by the drivers of all vehicles.

5 (2) "Don't Walk".--No pedestrian shall start to cross
6 the roadway in the direction of the signal, but any
7 pedestrian who has partially completed his crossing on the
8 "Walk" signal shall proceed to a sidewalk or safety zone
9 while the "Don't Walk" signal is showing.

10 (3) Flashing "Walk".--Whenever the "Walk" indication is
11 flashing, pedestrians facing the signal are cautioned that
12 there is possible hazard from turning vehicles, but
13 pedestrians may proceed across the roadway in the direction
14 of the signal indication and shall be given the right-of-way
15 by the drivers of all vehicles.

16 (4) Flashing "Don't Walk".--Whenever the "Don't Walk"
17 indication is flashing, no pedestrian shall start to cross
18 the roadway in the direction of the indication, but any
19 pedestrian who has partly completed crossing during the
20 "Walk" indication shall proceed to a sidewalk or safety zone,
21 and all drivers of vehicles shall yield to the pedestrian.

22 § 3114. Flashing signals.

23 (a) General rule.--Whenever a flashing red or yellow signal
24 is used in a traffic signal or with a traffic sign it shall
25 require obedience by vehicular traffic as follows:

26 (1) Flashing red.--When a red lens is illuminated with
27 rapid intermittent flashes, drivers of vehicles shall stop in
28 the same manner as at a stop sign, and the right to proceed
29 shall be subject to the rules applicable after making a stop
30 at a stop sign as provided in section 3323 (relating to stop

signs and yield signs).

(2) Flashing yellow.--When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

(b) Railroad grade crossings.--This section does not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules as set forth in section 3341 (relating to obedience to signal indicating approach of train).

§ 3115. Lane-direction-control signals.

When lane-direction-control signals are placed over the individual lanes of a street or highway, vehicular traffic may travel in any lane over which a green signal is shown, but shall not enter or travel in any lane over which a red signal is shown.