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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**  
**No. 1171** Session of  
1977

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INTRODUCED BY MESSRS. BELLOMINI AND DININNI, MAY 25, 1977

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SENATOR LYNCH, TRANSPORTATION, IN SENATE, RE-REPORTED AS  
AMENDED, SEPTEMBER 12, 1978

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AN ACT

1 Amending Title TITLES 75 (Vehicles) AND 42 (JUDICIARY AND <—  
2 JUDICIAL PROCEDURE) of the Pennsylvania Consolidated  
3 Statutes, ~~making omnibus changes.~~ ADDING AND CHANGING <—  
4 PROVISIONS RELATING TO VEHICLES AND PEDESTRIANS.

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

7 ~~Section 1. The definitions of "abandoned vehicle," "bus," <—~~  
8 ~~"classic motor vehicle," "driver," "emergency vehicle," "motor-~~  
9 ~~driven cycle," "motorized pedalcycle," "passenger car,"~~  
10 ~~"reconstructed vehicle," "roadway," "valueless except for junk"~~  
11 ~~and "vehicle" in section 102, sections 1102, 1103(a), (b), (c),~~  
12 ~~(d) and (e), 1111(a), 1113(a) and (c), 1114(b), 1117(a), (d),~~  
13 ~~(e) and (f), 1118(f), 1301, 1302, 1304(d), 1305(a), 1306,~~  
14 ~~1307(e), 1309, 1311, 1313(c), 1333(c), 1334(a), 1337(a) and (c),~~  
15 ~~1338, 1340, 1341, 1342, 1344, 1373, 1374(a), 1502(3), 1503,~~  
16 ~~1504(d), 1505(b) and (c), 1509(a), 1511, 1513(a), 1514, 1515,~~  
17 ~~1519, 1532, 1533, 1534, 1535, 1538(b) and (d), 1539(c), 1540,~~  
18 ~~1541(a) and (c), 1542(b) and (c), 1543, 1545, 1547(a), (b) and~~



1 (C), (D) AND (E), 1108, 1111(A), 1112, 1113(A) AND (C), 1114(B),  
2 1117, 1118(A), (B) AND (F), 1119, 1138, 1301, 1302, 1303(A) AND  
3 (E), 1304(D), 1305, 1306, 1307(E), 1309, 1310, 1311, 1312,  
4 1313(C), 1315, 1331(E), 1333(C), 1334(A), 1335, 1336, 1337(A)  
5 AND (C), 1338, 1340, 1342, 1343, 1344, 1371, 1373, 1374, 1375,  
6 1501(C) AND (D), 1502(3), 1503, 1504(C), (D) AND (E), 1505(B)  
7 AND (C), 1507(D), 1508, 1509(A), 1511, 1513(A), 1514, 1515,  
8 1517, 1518, 1519, 1532, 1533, 1534, 1535, 1537, 1538, 1539(C),  
9 1540, 1541(A) AND (C), 1542(B) AND (C), 1543, 1544(A), 1545,  
10 1547(A), (B), (C) AND (D), 1549(B), 1550, 1551, 1571, 1572,  
11 1573, 1704, 1741, 1747(A), 1901(A) AND (D), (B) AND (C), 1902, <—  
12 1915, 1916, 1917, 1919, 1923, 1924, 1925, 1926, 1928, 1929,  
13 1943(B), 1944, 1951, 1952, 1953, 1955, 1956, 1957, 1958, 3101,  
14 3102, 3105(B), (C) AND (D), 3112, 3113, 3115, 3307, 3321,  
15 3323(C), 3331(B), 3332, 3334(B), 3335, 3342(B) AND (C), 3345,  
16 3351, 3352, 3353, 3354(D), 3363, 3364(C), 3365(A), (B) AND (C),  
17 3367(B), 3368(D), 3502, 3504, 3507, 3508, 3522(A), 3523, 3525(A)  
18 AND (B), 3541, 3543, 3549, 3550, 3706, 3709, 3711(B), 3731(A)  
19 AND (D), 3741, 3746(C), 3749(B) AND (C), 3751(B), 3752, 4103,  
20 4107(A), 4303(C) AND (E), 4307, 4502, 4524, 4530, 4531, 4534,  
21 4535, 4552(E), 4571, 4572(B) AND (D), 4702, 4703, 4704(A), 4721,  
22 4722(C), 4726, 4727(A), 4729, 4730, 4902, 4903(C), 4904(C),  
23 4921, 4923, 4924(A), 4942, 4943(B), 4944, 4945(A), 4946(A), <—  
24 4961, 4962(B) AND (D), 4963, 4965, 4966, 4967, 4968, 4970, 4981,  
25 4982, 4983, 6104(A), 6105, 6109(A), (B), (C) AND (E), 6112,  
26 6122, 6301, 6304, 6305, 6306, 6308, 6322(A)(1), 6323, 6327,  
27 6501, 6503, 6504, 7102, 7103, 7105, 7113(A), 7116, 7121, 7122,  
28 7123, 7301, 7302, 7304, 7305, 7306, 7308, 7309, 7312,  
29 7502(A), (C) AND (E) AND 7505, THE HEADING OF CHAPTER 77 AND <—  
30 SECTIONS 7701, 7703, 7706, 7711, 7712, 7713, 7714, 7715, 7716,

1 7721, 7722, 7723, 7724, 7725, 7726, 7727, 7728, 7729, 7741,  
2 7742, 7743, 7751 AND 7752 OF TITLE 75, ACT OF NOVEMBER 25, 1970  
3 (P.L.707, NO.230), KNOWN AS THE PENNSYLVANIA CONSOLIDATED  
4 STATUTES, ADDED JUNE 17, 1976 (P.L.162, NO.81), ARE AMENDED, AND  
5 THE DEFINITIONS OF "CONSTRUCTION STORAGE TRAILER," "HISTORIC  
6 MOTOR VEHICLE," "PLAY HIGHWAY," "PUSHCART," "STREET," "TOWER"  
7 AND "TRAFFIC SIGNAL" IN SECTION 102, SECTIONS 1120, 1121,  
8 1331(F), 1345, 1346, 1504(F) AND (G), 1505(E), 1547(K), 1552, <—  
9 1933, 1960, 1961, 3111(E), 3342(D), 3346, 3355, 3356, 3368(E), <—  
10 3505(E), 3544(E), 4305(D), 4552(I), 4572(C), ~~4943(D)~~, 4971 AND, <—  
11 6309 AND 6343 AND THE DEFINITION OF "OFF-ROAD VEHICLE" IN <—  
12 SECTION 7702 ARE ADDED TO READ:

13 § 102. Definitions.

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

19 "Abandoned vehicle."

20 (1) A vehicle (other than a pedalcycle):

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

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

25 (iii) [without] which does not have both a valid  
26 registration plate [or] and certificate of inspection [or  
27 title] and which is left unattended on [or along] a  
28 highway; or

29 (iv) [that has remained on private property without <—  
30 the consent of the owner or person in control of the

property for more than 48 hours] THAT HAS REMAINED  
UNCLAIMED AT A STORAGE FACILITY OF A SALVOR OR TOWER FOR  
MORE THAN 30 DAYS.

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

\* \* \*

"AUTHORIZED VEHICLE." A VEHICLE OR TYPE OF VEHICLE, OTHER  
THAN AN EMERGENCY VEHICLE, FOR WHICH SPECIAL OPERATING OR  
EQUIPMENT PRIVILEGES ARE GIVEN BY LAW OR REGULATION OF THE  
DEPARTMENT BASED ON [DESIGN AND UTILITY FOR] ITS USE IN WORK  
WITHIN A HIGHWAY OR IN THE PERFORMANCE OF PUBLIC SERVICE OR  
GOVERNMENTAL FUNCTIONS.

"Bus." A motor vehicle designed for carrying more than ten  
passengers, exclusive of the driver, and used for the  
transportation of persons and [a] any other motor vehicle [,  
other than a taxicab, designed and] used for the transportation  
of persons for compensation. The term does not include a taxi  
TAXICAB or a vehicle used in a carpool AS DEFINED IN DEPARTMENT  
REGULATIONS.

\* \* \*

~~"Church." An organization for religious purposes which~~  
~~exists for the predominant purpose of holding, conducting or~~  
~~sponsoring religious activities or religious education, without~~  
~~pecuniary benefit to any officer, member or shareholder except~~  
~~as reasonable compensation for actual services rendered to the~~  
~~organization.~~

["Classic motor vehicle." A self-propelled vehicle, but not

1 a reproduction thereof, manufactured more than ten years prior  
2 to the current year and, because of discontinued production and  
3 limited availability, determined by the department to be a model  
4 or make of significant value to collectors or exhibitors and  
5 which has been maintained in or restored to a condition which is  
6 substantially in conformity with manufacturer specifications and  
7 appearance.]

8 \* \* \*

<—

9 "CONSTRUCTION STORAGE TRAILER." A TRAILER USED EXCLUSIVELY  
10 FOR STORAGE ON A CONSTRUCTION SITE AND ONLY OCCASIONALLY  
11 OPERATED ON HIGHWAYS IN ORDER TO MOVE FROM ONE SITE TO ANOTHER.

12 \* \* \*

<—

13 ~~"Driver." A person who drives or is in actual physical~~  
14 ~~control of a motor vehicle.~~

15 \* \* \*

16 "Emergency vehicle." A fire [department] vehicle, police <—  
17 vehicle, ambulance, blood-delivery vehicle, armed forces  
18 emergency vehicle, one private vehicle of a fire or police chief  
19 or assistant chief or when a fire company has three or more  
20 ~~pieces of apparatus~~ FIRE VEHICLES, a second assistant chief, or <—  
21 ambulance corps commander or assistant commander or of a river  
22 rescue commander or coroner OR DEPUTY CORONER OR CIVIL DEFENSE <—  
23 DIRECTOR used for answering emergency calls or other vehicle  
24 designated by the State Police under section 6106 (relating to  
25 designation of emergency vehicles by Pennsylvania State Police).

26 \* \* \*

27 "FARM TRUCK." A TRUCK OR BUS DETERMINED BY THE DEPARTMENT TO <—  
28 BE USED EXCLUSIVELY FOR AGRICULTURAL PURPOSES. THE TERM DOES NOT  
29 INCLUDE A TRUCK TRACTOR.

30 \* \* \*

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

9     \* \* \*

10     "MESSENGER SERVICE." A PERSON WHO, FOR A FEE, ADVERTISES, <—  
11     OFFERS OR PROVIDES TO THE PUBLIC THE SERVICE OF OBTAINING FROM  
12     THE DEPARTMENT VEHICLE TITLES, REGISTRATIONS, DRIVERS' LICENSES  
13     AND SIMILAR DOCUMENTS. THE DEPARTMENT MAY AUTHORIZE BY  
14     REGULATION MESSENGER SERVICES TO PERFORM ANY OF THE FUNCTIONS  
15     PERFORMED BY THE DEPARTMENT AS TO THE REGISTRATION OF VEHICLES  
16     WHEN THE DEPARTMENT DEEMS SUCH AUTHORIZATION TO BE IN THE BEST  
17     INTERESTS OF THE MOTORING PUBLIC. A DEALER WHO OBTAINS DOCUMENTS  
18     ONLY FOR PURCHASERS OF VEHICLES FROM THE DEALER IS NOT A  
19     MESSENGER SERVICE.

20     \* \* \*

21     ~~["Motor driven cycle." A motorcycle, including a motor <—~~  
22     ~~scooter, with a motor which produces not to exceed five brake~~  
23     ~~horsepower, and every pedalcycle with motor attached.]~~

24     "Motorized pedalcycle." A {motor-driven cycle} ~~motorcycle~~ <—  
25     [equipped with operable pedals, a motor rated no more than 1.5 <—  
26     brake horsepower, a cylinder capacity not exceeding 50 cubic  
27     centimeters, an automatic transmission, and a maximum design  
28     speed of no more than 25 miles per hour.] WITH A MAXIMUM DESIGN <—  
29     SPEED OF 30 MILES PER HOUR EQUIPPED WITH OPERABLE PEDALS, AN <—  
30     ENGINE WHICH PRODUCES NOT MORE THAN 2 BRAKE HORSEPOWER AND, IF

1 IT HAS AN INTERNAL COMBUSTION ENGINE, A CYLINDER CAPACITY NOT  
2 EXCEEDING 50 CUBIC CENTIMETERS AND AN AUTOMATIC TRANSMISSION. A  
3 MOTORIZED PEDALCYCLE IS COMMONLY REFERRED TO AS A "MOPED."

4 \* \* \*

5 "Passenger car." A motor vehicle, except a motorcycle or  
6 ~~taxi~~ TAXICAB, designed primarily for carrying ten passengers or <—  
7 less, and primarily used for the transportation of persons.

8 \* \* \*

9 "PLAY HIGHWAY." A PORTION OF A HIGHWAY OR ROADWAY BARRED <—  
10 FROM UNAUTHORIZED USE BY MOTOR VEHICLES, ON A TEMPORARY OR  
11 REGULAR DAILY BASIS, AND RESERVED FOR PLAY OR RECREATIONAL  
12 ACTIVITIES.

13 \* \* \*

14 "PUSHCART." A VEHICLE, OTHER THAN A PEDALCYCLE, PROPELLED  
15 SOLELY BY HUMAN POWER, AND USED OR INTENDED FOR USE FOR THE  
16 DISPLAY, TRANSPORT, EXHIBIT OR SALE OF GOODS, WARES OR  
17 MERCHANDISE.

18 \* \* \*

19 "Reconstructed vehicle." A vehicle materially altered from  
20 its original construction by the removal, addition or  
21 substitution of essential parts, new or used, or a vehicle,  
22 other than an antique or [classic] historic MOTOR vehicle, for <—  
23 which [a certificate of junk] AUTHORIZATION TO SALVAGE THE <—  
24 VEHICLE was issued and is thereafter restored to operating  
25 condition.

26 \* \* \*

27 ~~"Recreational vehicle." A vehicular type unit primarily~~ <—  
28 ~~designed as temporary living quarters for recreation, camping or~~  
29 ~~travel use which either has its own motive power or is drawn by~~  
30 ~~another vehicle.~~



1       \* \* \*

2       "Roadway." That portion of a highway improved, designed or  
3 ordinarily used for vehicular travel, exclusive of the  
4 sidewalk[, berm] or shoulder even though such sidewalk[, berm]  
5 or shoulder is used by pedalcycles. In the event a highway  
6 includes two or more separate roadways the term "roadway" refers  
7 to each roadway separately but not to all such roadways  
8 collectively.

9       \* \* \*

10       "SALVOR." A PERSON [ENGAGED IN THE BUSINESS OF ACQUIRING  
11 ABANDONED VEHICLES] AUTHORIZED BY THE DEPARTMENT TO REMOVE  
12 VEHICLES FROM PUBLIC OR PRIVATE PROPERTY OR TO ACQUIRE ABANDONED  
13 VEHICLES FOR THE PURPOSE OF TAKING APART, [JUNKING] SALVAGING,  
14 SELLING, REBUILDING OR EXCHANGING THE VEHICLES OR PARTS THEREOF.

15       ["SCHOOL BUS." A MOTOR VEHICLE WHICH COMPLIES WITH THE COLOR  
16 AND LIGHTING IDENTIFICATION REQUIREMENTS OF SECTION 4552  
17 (RELATING TO GENERAL REQUIREMENTS FOR SCHOOL BUSES).]

18       \* \* \*

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, AIR  
23 COMPRESSORS; EARTH MOVING AND ROAD CONSTRUCTION AND MAINTENANCE  
24 MACHINERY, SUCH AS ASPHALT SPREADERS, BITUMINOUS MIXERS, BUCKET  
25 LOADERS, SNOW PLOWS, DITCHERS, GRADERS, FINISHING MACHINES, ROAD  
26 ROLLERS, SCARIFIERS, EARTH MOVING CARRYALLS, SCRAPERS, POWER  
27 SHOVELS AND DRAG LINES; AND SELF-PROPELLED CRANES AND TRACTORS,  
28 OTHER THAN TRUCK TRACTORS. THE TERM DOES NOT INCLUDE HOUSE  
29 TRAILERS; DUMP TRUCKS; TRUCK-MOUNTED TRANSIT MIXERS, CRANES OR  
30 SHOVELS; OR OTHER VEHICLES DESIGNED FOR THE TRANSPORTATION OF

1 PERSONS OR PROPERTY TO WHICH MACHINERY HAS BEEN ATTACHED.

2 \* \* \*

3 "STREET." A HIGHWAY.

4 \* \* \*

5 ["TAXI."] "TAXICAB." A MOTOR VEHICLE DESIGNED FOR CARRYING  
6 NO MORE THAN EIGHT PASSENGERS, EXCLUSIVE OF THE DRIVER, ON A  
7 CALL AND DEMAND SERVICE, AND USED FOR THE TRANSPORTATION OF  
8 PERSONS FOR COMPENSATION.

9 "THROUGH HIGHWAY." A LIMITED ACCESS HIGHWAY OR ANY OTHER  
10 HIGHWAY OR PORTION OF A HIGHWAY ON WHICH VEHICULAR TRAFFIC IS  
11 GIVEN PREFERENTIAL RIGHT-OF-WAY[, AND AT THE ENTRANCES TO WHICH  
12 VEHICULAR TRAFFIC FROM INTERSECTING HIGHWAYS IS REQUIRED BY LAW  
13 TO YIELD THE RIGHT-OF-WAY TO VEHICLES ON THE THROUGH HIGHWAY IN  
14 OBEDIENCE TO A STOP SIGN, YIELD SIGN OR OTHER OFFICIAL TRAFFIC-  
15 CONTROL DEVICE WHEN THE SIGNS OR DEVICES ARE ERECTED AS PROVIDED  
16 IN THIS TITLE].

17 \* \* \*

18 "TOWER." A PERSON AUTHORIZED BY THE DEPARTMENT TO REMOVE  
19 VEHICLES FROM PUBLIC OR PRIVATE PROPERTY.

20 \* \* \*

21 "TRAFFIC SIGNAL." ANY POWER-OPERATED TRAFFIC-CONTROL DEVICE,  
22 EXCEPT A SIGN, BARRICADE, WARNING LIGHT, FLASHING ARROW BOARD OR  
23 STEADY BURN ELECTRIC LAMP, BY WHICH TRAFFIC IS WARNED OR  
24 DIRECTED TO TAKE SOME SPECIFIC ACTION. THESE DEVICES INCLUDE  
25 TRAFFIC-CONTROL SIGNALS, PEDESTRIAN SIGNALS, BEACONS, LANE-USE-  
26 CONTROL SIGNALS, DRAWBRIDGE SIGNALS, EMERGENCY TRAFFIC SIGNALS,  
27 FIREHOUSE WARNING DEVICES AND RAMP METERING SIGNALS.

28 \* \* \*

29 "URBAN DISTRICT." THE TERRITORY CONTIGUOUS TO AND INCLUDING  
30 ANY STREET WHICH IS BUILT UP WITH STRUCTURES DEVOTED TO

BUSINESS, INDUSTRY OR DWELLING HOUSES SITUATED AT INTERVALS OF  
LESS THAN 100 FEET FOR A DISTANCE OF A QUARTER OF A MILE OR  
MORE. THE RIGHT-OF-WAY OF INTERSECTING HIGHWAYS SHALL NOT BE  
COUNTED IN MEASURING DISTANCES BETWEEN STRUCTURES.

\* \* \*

"Valueless except for [junk] SALVAGE." A vehicle which is  
inoperable or unable to meet the vehicle equipment and  
inspection standards under Part IV (relating to vehicle  
characteristics) to the extent that the cost of repairs would  
exceed the value of the repaired vehicle. The term does not  
include a vehicle which would qualify as an antique or [classic]  
historic MOTOR vehicle except for its lack of restoration or  
maintenance.

"Vehicle." Every device [in, upon or by] which [any person  
or property] is or may be [transported] moved or drawn upon a  
highway, except devices used exclusively upon rails or tracks.

\* \* \*

§ 1102. Vehicles not requiring certificate of title.

No certificate of title [shall be issued] IS REQUIRED for:

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

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

(3) A new vehicle owned by a manufacturer or  
[registered] dealer before and until THE FIRST sale TO A  
CONSUMER.

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

1 (5) A vehicle owned by a resident legally required to be  
2 registered in another state, based and used principally  
3 outside of this Commonwealth, and not required by law to be  
4 registered in this Commonwealth.

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

9 (7) A vehicle moved solely by human or animal power.

10 (8) An implement of husbandry unless required to be  
11 registered.

12 (9) Special mobile equipment unless required to be  
13 registered.

14 (10) A [mobile home] RIDING LAWNMOWER OR SNOWPLOW WITH <—  
15 AN ENGINE NOT EXCEEDING A HORSEPOWER RATING DETERMINED BY THE  
16 DEPARTMENT.

17 ~~(11) A riding lawnmower with an engine not exceeding 16~~ <—  
18 ~~h.p.~~

19 (11) A CONSTRUCTION STORAGE TRAILER. <—

20 § 1103. Application for certificate of title.

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

~~(b) Signing and filing of application. Application for a certificate of title shall be made within [ten] five days of the sale or transfer of a vehicle or its entry into this Commonwealth from another jurisdiction, whichever is later. The application shall be accompanied by the fee prescribed in this title, and any tax payable by the applicant under the laws of this Commonwealth in connection with the acquisition or use of a vehicle or evidence to show that the tax has been collected. The application shall be signed and verified by oath or affirmation by the applicant if a natural person; in the case of an association or partnership, by a member or a partner; and in the case of a corporation, by an executive officer or some person specifically authorized by the corporation to sign the application.~~

\* \* \*

(c) Manufacturer's Statement of Origin for new vehicles.--If the application refers to a new vehicle, it shall be accompanied by the Manufacturer's Statement of Origin [for the vehicle].  
~~Notwithstanding any other provision of this title, a tracing or photograph of the vehicle identification number shall not be required when the application which refers to a new vehicle is accompanied by the Manufacturer's Statement of Origin. A TRACING OR PHOTOGRAPH OF THE VEHICLE IDENTIFICATION NUMBER SHALL NOT BE REQUIRED FOR PASSENGER CARS OR MOTORCYCLES.~~

(d) Vehicles purchased from dealers.--If the application refers to a vehicle purchased from a dealer, the dealer shall mail or deliver the application to the department within ~~[ten]~~ five days of the date of purchase. The application shall [contain the names and addresses of any lienholders in order of priority, ~~the amounts and~~ the dates of the security

1 agreements, and] be assigned by the dealer to the owner and <—  
2 signed by the owner. THE APPLICATION SHALL ALSO BE SIGNED AND <—  
3 VERIFIED BY THE DEALER BY OATH OR AFFIRMATION AS REQUIRED BY  
4 SUBSECTION (B). Any dealer violating this subsection is guilty  
5 of a summary offense and shall, upon conviction, be sentenced to  
6 pay a fine of \$50 for each violation. The requirement that the  
7 dealer mail or deliver the application to the department does  
8 not apply to vehicles purchased by fleet owners or governmental  
9 or quasi-governmental agencies.

10 (e) Out-of-state vehicles.--If the application refers to a  
11 vehicle purchased or last previously titled or registered in  
12 another state or country, the following information shall be  
13 contained in or accompany the application or be forwarded in  
14 support of the application as required by the department:

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

17 (2) A tracing or photograph of the vehicle  
18 identification number taken from the official number plate  
19 or, where it is impossible to secure a legible tracing OR <—  
20 PHOTOGRAPH, the verification of a person authorized by the  
21 department that the vehicle identification number of the  
22 vehicle has been inspected and found to conform to the  
23 description given in the application.

24 (3) Any other information and documents the department  
25 reasonably requires to establish the ownership of the vehicle  
26 and the existence or nonexistence of security interests in  
27 the vehicle.

28 \* \* \*

29 § 1108. REGISTRATION WITHOUT CERTIFICATE OF TITLE. <—

30 IF THE DEPARTMENT IS NOT SATISFIED AS TO THE OWNERSHIP OF THE

1 VEHICLE OR THAT THERE ARE NO UNDISCLOSED SECURITY INTERESTS IN  
2 THE VEHICLE, OR IF THE HOLDER OF A SECURITY INTEREST REFUSES TO  
3 SUBMIT A FOREIGN TITLE TO THE DEPARTMENT FOR REGISTRATION OF THE  
4 VEHICLE IN THIS COMMONWEALTH, THE DEPARTMENT MAY REGISTER THE  
5 VEHICLE BUT SHALL WITHHOLD ISSUANCE OF A CERTIFICATE OF TITLE  
6 UNTIL THE APPLICANT PRESENTS DOCUMENTS REASONABLY SUFFICIENT TO  
7 SATISFY THE DEPARTMENT AS TO THE OWNERSHIP BY THE APPLICANT OF  
8 THE VEHICLE AND THAT THERE ARE NO UNDISCLOSED OR OUTSTANDING  
9 SECURITY INTERESTS IN THE VEHICLE.

10 § 1111. Transfer of ownership of vehicle.

11 (a) Duty of transferor.--In the event of the sale or  
12 transfer of the ownership of a vehicle within this Commonwealth,  
13 the owner shall execute an assignment and warranty of title to  
14 the transferee in the space provided on the certificate or as  
15 the department prescribes, sworn to before a notary public or  
16 other officer empowered to administer oaths, and deliver the  
17 certificate to the transferee [at the time of the delivery of  
18 the vehicle] immediately.

19 \* \* \*

20 § 1112. DISCLOSURE OF ODOMETER READING AND TAMPERING WITH  
21 ODOMETER.

22 (A) STATEMENT BY TRANSFEROR OF ODOMETER READING.--EACH  
23 TRANSFEROR OF A MOTOR VEHICLE SHALL FURNISH TO THE TRANSFEE AT  
24 THE TIME OF TRANSFER A WRITTEN STATEMENT DISCLOSING THE ODOMETER  
25 READING OF THE VEHICLE AT THE TIME OF TRANSFER AND THE DATE OF  
26 THE TRANSFER. THE STATEMENT SHALL BE SIGNED BY THE TRANSFEROR ON  
27 SUCH FORM AS THE DEPARTMENT MAY PRESCRIBE.

28 (B) STATEMENT WHEN ACTUAL MILEAGE UNKNOWN.--IF THE  
29 TRANSFEROR KNOWS THAT THE ODOMETER READING DIFFERS FROM THE  
30 NUMBER OF MILES THE VEHICLE HAS ACTUALLY TRAVELED, AND THAT THE

1 DIFFERENCE IS GREATER THAN THAT CAUSED BY ODOMETER CALIBRATION  
2 ERROR, THE TRANSFEROR SHALL INCLUDE A STATEMENT THAT THE ACTUAL  
3 VEHICLE MILEAGE IS UNKNOWN.

4 (C) TAMPERING WITH ODOMETER.--EXCEPT FOR PURPOSES OF REPAIR  
5 OR REPLACEMENT, IT IS UNLAWFUL FOR ANY PERSON TO DISCONNECT,  
6 TURN BACK, TAMPER WITH OR RESET AN ODOMETER OF ANY MOTOR  
7 VEHICLE.

8 (D) EXCEPTIONS.--THE TRANSFEROR [OF THE FOLLOWING TYPES OF  
9 MOTOR VEHICLES] NEED NOT DISCLOSE THE ODOMETER READING OF [THE  
10 VEHICLE]:

11 (1) A MOTOR VEHICLE HAVING A REGISTERED GROSS WEIGHT OF  
12 MORE THAN 17,000 POUNDS.

13 (2) A MOTOR VEHICLE 25 YEARS OR OLDER.

14 (3) A MOTOR VEHICLE TRANSFERRED BETWEEN DEALERS PRIOR TO  
15 FIRST RETAIL SALE.

16 (4) A MOTOR VEHICLE NOT ORIGINALLY EQUIPPED WITH AN  
17 ODOMETER.

18 (E) PENALTIES.--ANY PERSON VIOLATING SUBSECTION (A) OR (B)  
19 IS GUILTY OF A SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE  
20 SENTENCED TO PAY A FINE OF \$100. ANY PERSON VIOLATING SUBSECTION  
21 (C) IS GUILTY OF A SUMMARY OFFENSE AND SHALL, UPON CONVICTION,  
22 BE SENTENCED TO PAY A FINE OF \$300.

23 § 1113. Transfer to or from manufacturer or dealer.

24 (a) Transfer to manufacturer or dealer.--When the purchaser  
25 or transferee of a vehicle is a manufacturer or [registered] <—  
26 dealer who holds the vehicle for resale, a certificate of title  
27 need not be applied for as provided for in section 1111  
28 (relating to transfer of ownership of vehicle) but the  
29 transferee shall, within [seven] ~~five~~ TEN days from the date of <—  
30 assignment of the certificate of title to the manufacturer or



1 dealer, forward to the department, upon a form prescribed and  
2 furnished by the department, notification of the acquisition of  
3 the vehicle. Notification as authorized in this section may not  
4 be used in excess of three consecutive transactions after which  
5 time an application shall be made for a certificate of title.

6 \* \* \*

7 (c) Transfer from manufacturer or dealer.--[The manufacturer  
8 or dealer, upon transferring his interest in the vehicle, shall,  
9 except] Except as otherwise provided in this section, when the  
10 transferee is another manufacturer or dealer:

11 (1) The manufacturer or dealer upon transferring their  
12 interest in the vehicle shall execute an assignment and  
13 warranty of title to the transferee in the space provided on  
14 the certificate or as the department prescribes.

15 (2) The transferee shall complete the application for  
16 certificate of title in the name of the transferee.

17 [The] (3) The manufacturer or dealer shall forward the  
18 certificate of title and any other required forms shall be  
19 forwarded by the dealer or manufacturer to the department  
20 within [five] TEN days of the transfer.

<—

21 \* \* \*

22 § 1114. Transfer of vehicle by operation of law.

23 \* \* \*

24 (b) Transfer to surviving spouse.--Transfer of a certificate  
25 of title to a surviving spouse, or any person designated by the  
26 spouse, may be made without the necessity of filing for letters  
27 of administration notwithstanding the fact that there are  
28 [minor] children or other heirs surviving the decedent provided  
29 the surviving spouse files an affidavit that all the debts of  
30 the decedent have been paid. The provisions of this subsection

1 ~~shall~~ DO not supersede the bequest of a vehicle to another <—  
2 person.

3 \* \* \*

4 § 1117. Vehicle destroyed or [junked] SALVAGED. <—

5 (a) Application for [certificate of junk] VEHICLE SALVAGE <—  
6 AUTHORIZATION.--[Any owner who transfers a vehicle as scrap, or  
7 to be destroyed or junked, shall assign the certificate of title  
8 to the person to whom the vehicle is transferred. The transferee  
9 shall return the assigned certificate of title to the department  
10 immediately with an application for a certificate of junk upon a  
11 form furnished and prescribed by the department. An insurer, as  
12 defined in the act of July 19, 1974 (P.L.489, No.176), known as  
13 the "Pennsylvania No-fault Motor Vehicle Insurance Act," to  
14 which title to a vehicle is assigned upon payment to the insured  
15 of the replacement value of the vehicle, shall be regarded as a  
16 transferee under this subsection.]

17 ~~(1) Any owner who scraps, dismantles or destroys a~~ <—  
18 ~~vehicle and any person who purchases a vehicle to be~~  
19 ~~scrapped, dismantled or destroyed shall within five days~~  
20 ~~return:~~

21 ~~(i) the certificate of title to the department; and~~  
22 ~~(ii) an application for certificate of junk on a~~  
23 ~~form furnished by the department.~~

24 (1) NO PERSON SHALL SCRAP, DISMANTLE OR DESTROY A <—  
25 VEHICLE OR REMOVE A VEHICLE FROM THIS COMMONWEALTH FOR THE  
26 PURPOSE OF SCRAPPING, DISMANTLING OR DESTROYING THE VEHICLE  
27 UNLESS THE CERTIFICATE OF TITLE HAS BEEN ENDORSED WITH  
28 AUTHORIZATION TO SALVAGE THE VEHICLE. UPON RECEIPT OF THE  
29 CERTIFICATE OF TITLE AND APPLICATION FOR AUTHORIZATION TO  
30 SALVAGE A VEHICLE, THE DEPARTMENT WILL ISSUE TO THE APPLICANT

1 OR THEIR DESIGNEE A CERTIFICATE OF TITLE ENDORSED WITH  
2 AUTHORIZATION TO SALVAGE THE VEHICLE. A PERSON WHO PURCHASES  
3 A VEHICLE TO BE SCRAPPED, DISMANTLED OR DESTROYED SHALL APPLY  
4 FOR AUTHORIZATION TO SALVAGE THE VEHICLE WITHIN TEN DAYS.

5 (2) An owner who receives the replacement value of a  
6 WRECKED vehicle from an insurer as defined in the act of July <—  
7 19, 1974 (P.L.489, No.176), known as the "Pennsylvania No-  
8 fault Motor Vehicle Insurance Act," or the insurer or other  
9 transferee, if title to the vehicle is transferred, shall be <—  
10 required to comply with this section. APPLY FOR AUTHORIZATION <—  
11 TO SALVAGE THE VEHICLE WITHIN TEN DAYS.

12 \* \* \* <—

13 (3) ANY PERSON WHO PURCHASES IN ANOTHER STATE A WRECKED <—  
14 VEHICLE WHOSE OWNER RECEIVED ITS REPLACEMENT VALUE FROM AN  
15 INSURER SHALL APPLY FOR AUTHORIZATION TO SALVAGE THE VEHICLE  
16 WITHIN TEN DAYS OF ENTRY OF THE VEHICLE INTO THIS  
17 COMMONWEALTH.

18 (4) NO FEE SHALL BE PAYABLE FOR ISSUANCE OF A  
19 CERTIFICATE OF TITLE ENDORSED WITH AUTHORIZATION TO SALVAGE.  
20 HOWEVER, IF THE APPLICANT WISHES THE TITLE TO BE ISSUED IN  
21 THE NAME OF A SALVOR, SCRAP METAL PROCESSOR OR OTHER PERSON,  
22 THE APPLICABLE TITLE FEE SHALL BE PAYABLE. ANY SUBSEQUENT  
23 ASSIGNMENT OF THE TITLE SHALL ALSO REQUIRE PAYMENT OF THE  
24 APPLICABLE FEE.

25 [(B) ISSUANCE AND EFFECT OF CERTIFICATE OF JUNK.--UPON  
26 PROPER APPLICATION FOR A CERTIFICATE OF JUNK, THE DEPARTMENT  
27 SHALL ISSUE TO THE TRANSFeree A CERTIFICATE OF JUNK WHICH SHALL  
28 AUTHORIZE THE HOLDER TO POSSESS, TRANSPORT, OR BY ENDORSEMENT,  
29 TRANSFER OWNERSHIP IN THE JUNKED VEHICLE, AND A CERTIFICATE OF  
30 TITLE SHALL NOT AGAIN BE ISSUED FOR THE VEHICLE EXCEPT UPON

1 APPLICATION CONTAINING THE INFORMATION THE DEPARTMENT REQUIRES,  
2 ACCOMPANIED BY ANY NECESSARY DOCUMENTS OR ARTICLES.]

3 [(C)] (B) VEHICLES WITH DEFECTIVE OR LOST TITLE.--ANY PERSON  
4 ON WHOSE PROPERTY IS LOCATED A VEHICLE WHICH IS VALUELESS EXCEPT  
5 FOR [JUNK] SALVAGE AND WHICH HAS A FAULTY, LOST OR DESTROYED  
6 TITLE MAY TRANSFER THE VEHICLE TO A SALVOR OR TO A SALVAGE  
7 PROGRAM OPERATED BY A POLITICAL SUBDIVISION FOR REMOVAL TO A  
8 SUITABLE PLACE OF STORAGE OR FOR SCRAPPING, PROVIDED THE SALVOR  
9 OR SALVAGE PROGRAM COMPLIES WITH THE REQUIREMENTS OF SECTION  
10 7309 (RELATING TO JUNKING OF VEHICLES VALUELESS EXCEPT FOR  
11 [JUNK] SALVAGE), EXCEPT THAT THE REPORT TO THE DEPARTMENT THAT  
12 THE VEHICLE IS VALUELESS EXCEPT FOR [JUNK] SALVAGE SHALL BE  
13 VERIFIED BY THE TRANSFEROR OF THE VEHICLE INSTEAD OF THE POLICE  
14 DEPARTMENT. THE TRANSFEREE SHALL RETURN THE ASSIGNED CERTIFICATE  
15 OF TITLE TO THE DEPARTMENT IMMEDIATELY WITH AN APPLICATION FOR  
16 [CERTIFICATE OF JUNK] VEHICLE SALVAGE AUTHORIZATION UPON A FORM  
17 FURNISHED AND PRESCRIBED BY THE DEPARTMENT.

18 [(d)] (C) Reconstructed vehicle.--If THE TITLE TO a vehicle, <—  
19 other than an antique or [classic] historic MOTOR vehicle, [for <—  
20 which a certificate of junk has been issued is thereafter  
21 restored to operating condition, it shall be regarded as a  
22 reconstructed vehicle] HAS BEEN ENDORSED WITH AUTHORIZATION TO <—  
23 SALVAGE THE VEHICLE AND THE VEHICLE IS THEREAFTER RESTORED TO  
24 OPERATING CONDITION, THE SALVAGE AUTHORIZATION ENDORSEMENT MAY  
25 BE REMOVED IN FAVOR OF AN ENDORSEMENT AS A RECONSTRUCTED VEHICLE  
26 UPON PAYMENT OF THE APPLICABLE FEE.

27 [(e)] (D) Transfer to scrap metal processor.-- <—  
28 (1) When a scrap metal processor obtains a [destroyed or <—  
29 junked] SALVAGED vehicle from a licensed {salvor,} vehicle <—  
30 salvage dealer it shall be the duty of the {salvor} vehicle <—

1 ~~salvage dealer~~ to obtain [a certificate of junk] THE SALVAGE <—  
2 AUTHORIZATION ENDORSEMENT therefor. When a scrap metal  
3 processor purchases a [destroyed or junked] SALVAGED vehicle <—  
4 from a person other than a {salvor,} ~~vehicle salvage dealer,~~ <—  
5 it shall be the duty of the scrap metal processor to obtain  
6 the [certificate of junk] SALVAGE AUTHORIZATION ENDORSEMENT <—  
7 UNLESS THE TRANSFEROR HAS PREVIOUSLY OBTAINED THE SALVAGE  
8 AUTHORIZATION ENDORSEMENT.

9 (2) WHEN A VEHICLE, WHICH HAS BEEN DESTROYED, IS  
10 TRANSFERRED TO A SCRAP METAL PROCESSOR NO ASSIGNMENT OF A  
11 TITLE ENDORSED WITH AN AUTHORIZATION TO SALVAGE THE VEHICLE  
12 SHALL BE REQUIRED. AS USED IN THIS PARAGRAPH, "DESTROYED"  
13 MEANS THAT THE VEHICLE HAS BEEN CRUSHED, COMPRESSED, SHREDDED  
14 OR OTHERWISE IRREVERSIBLY RENDERED UNUSABLE AS A VEHICLE.

15 [(f)] (E) Penalty.--Any person violating the provisions of <—  
16 [subsections] subsection (a) or [(e)] (D) is guilty of a summary <—  
17 offense and shall, upon conviction, be sentenced to pay a fine  
18 of \$200 for each violation.

19 § 1118. Suspension and cancellation of certificate of title.

20 (A) RETURN OF [NEW] VEHICLE.--THE DEPARTMENT MAY CANCEL THE <—  
21 CERTIFICATE OF TITLE ISSUED FOR A [NEW] VEHICLE WHEN IT IS SHOWN  
22 BY SATISFACTORY EVIDENCE THAT THE VEHICLE HAS BEEN RETURNED  
23 WITHIN THE TIME SPECIFIED IN THE DEPARTMENT REGULATIONS TO THE  
24 MANUFACTURER OR DEALER FROM WHOM OBTAINED.

25 (B) VEHICLES SOLD TO NONRESIDENTS OR [JUNKED] SALVAGED.--THE  
26 DEPARTMENT MAY CANCEL CERTIFICATES OF TITLE FOR VEHICLES SOLD TO  
27 RESIDENTS OF OTHER STATES OR FOREIGN COUNTRIES WHEN THE VEHICLE  
28 IS TO BE REGISTERED IN THE OTHER JURISDICTION, OR FOR ABANDONED  
29 OR DESTROYED VEHICLES AUTHORIZED TO BE [JUNKED] SALVAGED AS  
30 PROVIDED IN THIS SUBCHAPTER.

1 \* \* \*

2 (f) Nonpayment of fee.--The department may suspend a  
3 certificate of title when a check received in payment of [the] <—  
4 ANY fee FOR TITLE OR REGISTRATION OF THE VEHICLE is not paid on <—  
5 demand or when the fee [for the certificate] is unpaid and <—  
6 owing. The suspension shall remain in effect until the required  
7 fee and penalty have been paid.

8 \* \* \*

9 § 1119. APPLICATION FOR OR ASSIGNMENT OF CERTIFICATE OF <—  
10 TITLE BY AGENT.

11 (A) [AUTHORIZATION TO MAKE APPLICATION.--NO] GENERAL RULE.--  
12 EXCEPT AS PROVIDED IN SUBSECTION (B), NO PERSON SHALL MAKE  
13 APPLICATION FOR OR ASSIGN A CERTIFICATE OF TITLE WHEN ACTING FOR  
14 ANOTHER PERSON UNLESS AUTHORIZATION TO MAKE THE APPLICATION OR  
15 ASSIGNMENT IS IN EFFECT AND IS VERIFIED BY OATH OR AFFIRMATION  
16 OF THE OTHER PERSON. [, MADE, EXCEPTING AS BETWEEN LESSORS AND  
17 FLEET OWNERS AS LESSEES, NOT MORE THAN 15 DAYS BEFORE THE  
18 APPLICATION IS RECEIVED BY THE DEPARTMENT. LESSORS MAY AUTHORIZE  
19 FLEET OWNERS TO MAKE APPLICATION FOR CERTIFICATES OF TITLE FOR  
20 LEASED VEHICLES FOR PERIODS OF UP TO ONE YEAR.]

21 (B) [CERTIFICATE NOT TO BE ASSIGNED IN BLANK.--NO PERSON  
22 SHALL MAKE APPLICATION FOR, OR ASSIGN OR PHYSICALLY POSSESS, A  
23 CERTIFICATE OF TITLE, OR DIRECT OR ALLOW ANOTHER PERSON IN HIS  
24 EMPLOY OR CONTROL TO MAKE APPLICATION FOR, OR ASSIGN OR  
25 PHYSICALLY POSSESS, A CERTIFICATE OF TITLE, UNLESS THE NAME OF  
26 THE TRANSFEREE IS PLACED ON THE ASSIGNMENT OF CERTIFICATE OF  
27 TITLE SIMULTANEOUSLY WITH THE NAME OF THE TRANSFEROR AND DULY  
28 NOTARIZED.] EXCEPTION.--EXECUTIVE OFFICERS OF CORPORATIONS AND  
29 ASSOCIATIONS AND PARTNERS OR SOLE PROPRIETORS OF UNINCORPORATED  
30 BUSINESSES ARE NOT REQUIRED TO HAVE WRITTEN AUTHORIZATION FROM

1 THE CORPORATION, ASSOCIATION OR UNINCORPORATED BUSINESS.

2 [(C) PERSONS AUTHORIZED TO HOLD CERTIFICATE.--NO PERSON  
3 SHALL RECEIVE, OBTAIN OR HOLD A CERTIFICATE OF TITLE RECORDED IN  
4 THE NAME OF ANOTHER PERSON FOR THE OTHER PERSON WHO IS NOT IN  
5 THE REGULAR EMPLOY OF, OR NOT A MEMBER OF THE FAMILY OF, THE  
6 OTHER PERSON, UNLESS THE PERSON RECEIVING, OBTAINING OR HOLDING  
7 THE CERTIFICATE OF TITLE HAS A VALID UNDISCHARGED LIEN RECORDED  
8 IN THE DEPARTMENT AGAINST THE VEHICLE REPRESENTED BY THE  
9 CERTIFICATE OF TITLE.]

10 [(D)] (C) PENALTY.--ANY PERSON VIOLATING ANY OF THE  
11 PROVISIONS OF THIS SECTION IS GUILTY OF A SUMMARY OFFENSE AND  
12 SHALL, UPON CONVICTION, BE SENTENCED TO PAY A FINE OF \$100.

13 § 1120. CERTIFICATE OF TITLE TO CONTAIN NAME OF TRANSFEREE.

14 (A) GENERAL RULE.--NO PERSON SHALL MAKE APPLICATION FOR, OR  
15 ASSIGN OR PHYSICALLY POSSESS, A CERTIFICATE OF TITLE, OR DIRECT  
16 OR ALLOW ANOTHER PERSON IN HIS EMPLOY OR CONTROL TO MAKE  
17 APPLICATION FOR, OR ASSIGN OR PHYSICALLY POSSESS, A CERTIFICATE  
18 OF TITLE, UNLESS THE NAME OF THE TRANSFEREE IS PLACED ON THE  
19 ASSIGNMENT OF CERTIFICATE OF TITLE SIMULTANEOUSLY WITH THE NAME  
20 OF THE TRANSFEROR AND THE TRANSACTION IS DULY NOTARIZED.

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 \$100.

24 § 1121. PERSONS AUTHORIZED TO POSSESS CERTIFICATE OF TITLE.

25 (A) GENERAL RULE.--NO PERSON SHALL RECEIVE, OBTAIN OR HOLD A  
26 CERTIFICATE OF TITLE RECORDED IN THE NAME OF ANOTHER PERSON FOR  
27 THE OTHER PERSON WHO IS NOT IN THE REGULAR EMPLOY OF, OR NOT A  
28 MEMBER OF THE FAMILY OF, THE OTHER PERSON, UNLESS THE PERSON  
29 RECEIVING, OBTAINING OR HOLDING THE CERTIFICATE OF TITLE HAS A  
30 VALID UNDISCHARGED LIEN RECORDED IN THE DEPARTMENT AGAINST THE

1 VEHICLE REPRESENTED BY THE CERTIFICATE OF TITLE.

2 (B) PENALTY.--ANY PERSON VIOLATING ANY OF THE PROVISIONS OF  
3 THIS SECTION IS GUILTY OF A SUMMARY OFFENSE AND SHALL, UPON  
4 CONVICTION, BE SENTENCED TO PAY A FINE OF \$100.

5 § 1138. DURATION OF LIEN RECORDED ON CERTIFICATE OF TITLE.

6 (A) GENERAL RULE.--A SECURITY INTEREST RECORDED ON A  
7 CERTIFICATE OF TITLE IS EFFECTIVE FOR A PERIOD OF 15 YEARS IN  
8 THE CASE OF A MOBILE HOME AND IN ALL OTHER CASES FIVE YEARS  
9 DATING FROM THE TIME OF PERFECTION AS PROVIDED FOR IN THIS  
10 SUBCHAPTER.

11 (B) RENEWAL OF LIEN.--THE EFFECTIVENESS OF A LIEN RECORDED  
12 ON THE CERTIFICATE OF TITLE LAPSES ON THE EXPIRATION OF THE  
13 PERIODS SPECIFIED IN SUBSECTION (A) UNLESS A CONTINUATION  
14 STATEMENT IS FILED WITHIN THE SIX MONTHS IMMEDIATELY PRECEDING  
15 EXPIRATION. THE LIEN MAY BE RENEWED FOR AS MANY ONE-YEAR PERIODS  
16 AS MAY BE NECESSARY BY THE HOLDER OF THE SECURITY INTEREST UPON  
17 A FORM FURNISHED BY THE DEPARTMENT, SIGNED BY THE SECURED PARTY  
18 AND ACCOMPANIED BY THE FEE PROVIDED IN THIS TITLE.

19 (C) CORRECTED CERTIFICATE WHEN LIEN EXPIRES.--A CORRECTED  
20 CERTIFICATE OF TITLE WITHOUT A STATEMENT OF LIENS OR  
21 ENCUMBRANCES SHALL BE ISSUED BY THE DEPARTMENT, UPON THE REQUEST  
22 OF THE OWNER, WHEN THE SECURITY INTERESTS RECORDED ON THE  
23 CERTIFICATE OF TITLE HAVE EXPIRED.

24 § 1301. [Driving unregistered vehicle prohibited.]

25 Registration and certificate of title required.

26 (a) Driving unregistered vehicle prohibited.--NO PERSON <—  
27 SHALL DRIVE AND NO OWNER SHALL KNOWINGLY[It is a summary offense <—  
28 for any person to drive or for an owner knowingly to] permit to <—  
29 be driven upon any highway any vehicle [of a type required to be <—  
30 registered under this chapter] NOT EXEMPT FROM REGISTRATION <—



1 which is not registered or for which the appropriate fee has not  
2 been paid when and as required in this title.

3 (b) Certificate of title ~~required~~ PREREQUISITE TO <—  
4 REGISTRATION.--No vehicle shall be registered unless a  
5 certificate of title has been applied for or issued if one is <—  
6 required by Chapter 11 (relating to certificate of title and  
7 security interests).

8 § 1302. Vehicles [subject to] exempt from registration.

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

12 (b) Exceptions.--Subsection (a) does not apply to the  
13 following:]

14 ~~(a) General rule.--The following types of vehicles are~~ <—  
15 ~~exempt from registration in accordance with section 1301~~ <—  
16 ~~(relating to registration and certificate of title required):~~

17 (1) Any vehicle USED in conformance with the provisions <—  
18 of this chapter relating to dealers, persons registered under  
19 any of the miscellaneous motor vehicle business classes or  
20 nonresidents.

21 (2) Any implement of husbandry or trailer determined by  
22 the department to be used exclusively for agricultural  
23 operations and only incidentally operated upon highways.

24 [(i) A certificate of exemption shall be required  
25 for trailers.

26 (ii)] Vehicles exempt from registration under this  
27 paragraph shall be used exclusively upon a farm or farms  
28 owned or operated by the owner of the vehicle or upon  
29 highways between:

30 [(A)] (i) Parts of one such farm.

1           [(B)] (ii) [Farms] Such farms located not more than  
2       25 miles apart.

3           [(C)] (iii) [A farm] Such farm or farms and a place  
4       of business [located within a radius of 25 miles from the  
5       farm] for the purpose of buying or selling agricultural  
6       commodities or supplies or for [the inspection] delivery,  
7       repair or servicing of the vehicle.

8       (3) Any self-propelled golf cart used for the  
9       transportation of persons engaged in the game of golf while  
10      crossing any public highway during any game of golf.

11      (4) Any oversized vehicle which can only be moved by  
12      special permit as provided for in sections 4961(a)(1)  
13      (relating to authority to issue permits), 4965 (relating to  
14      single permits for multiple highway crossings), 4966  
15      (relating to permit for movement of quarry or mining  
16      equipment) and 4970 (relating to permit for movement of  
17      utility construction equipment) OR WHICH IS EXEMPT FROM THE <—  
18      REQUIREMENT FOR A SPECIAL PERMIT UNDER SECTION 4963 (RELATING  
19      TO EXEMPTIONS FOR VEHICLES USED IN STATE HIGHWAY  
20      CONSTRUCTION).

21      (5) Any vehicle registered and displaying plates issued  
22      in a foreign country by the armed forces of the United States  
23      for a period of 45 days from the date of [the return of the  
24      owner to the United States] entry of the vehicle into this  
25      Commonwealth.

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

29      (7) Any vehicle moved solely by human or animal power.

30      (8) Any self-propelled invalid wheel chair OR ANY DEVICE <—

1 DESIGNED AND USED FOR TRANSPORTING AN INVALID ON A WHEEL  
2 CHAIR.

3 (9) Any mobile home.

4 (10) Any riding lawnmower OR SNOWPLOW with an engine not <—  
5 exceeding 16 h.p. A HORSEPOWER RATING DETERMINED BY THE <—  
6 DEPARTMENT.

7 (11) Any trailer, INCLUDING NON-SELF-PROPELLED SPECIAL <—  
8 MOBILE EQUIPMENT, determined by the department to be used  
9 exclusively for construction operations and only incidentally  
10 operated upon the highway.

11 (12) Any farm truck used exclusively upon a farm or  
12 farms owned or operated by the owner of the vehicle.

13 (i) Such a farm truck may be driven upon highways  
14 only from sunrise to sunset and between:

15 (A) Parts of one such farm.

16 (B) Such farms located not more than ten miles  
17 apart.

18 (C) Such farm or farms and a place of business  
19 located within a radius of ten miles from the farm or  
20 farms for the purpose of buying or selling  
21 agricultural commodities or supplies.

22 (D) Such farm or farms and a place of business  
23 located within a radius of 25 miles from such farm or  
24 farms for the purpose of repair or servicing of the  
25 farm truck.

26 (ii) A ~~biannual~~ BIENNIAL certificate of exemption <—  
27 shall be required for such a farm truck.

28 (13) ANY TRAILER REGISTERED IN ANOTHER STATE TOWED BY A <—  
29 COMBINATION REGISTERED IN THIS COMMONWEALTH PROVIDED:

30 (I) THE OWNER HAS AS MANY TRAILERS REGISTERED IN

1           THIS COMMONWEALTH AS COMBINATIONS SO REGISTERED; OR

2                   (II) THE TOWING VEHICLE IS BEING OPERATED UNDER A  
3           PERMANENT LEASE TO A PERSON MEETING THE REQUIREMENTS OF  
4           SUBPARAGRAPH (I).

5           (14) ANY CONSTRUCTION STORAGE TRAILER.

6           [(c) Certificate of title required.--No vehicle shall be  
7 registered unless a certificate of title has been obtained, if  
8 one is required by Chapter 11 (relating to certificate of title  
9 and security interests).]

10       ~~(b) Registration by certain residents in another state.~~       <—

11               ~~(1) No person who is a resident of this Commonwealth or~~  
12       ~~who is a resident of more than one state, including this~~  
13       ~~Commonwealth, and has declared himself to be a Commonwealth~~  
14       ~~resident, shall register a passenger vehicle in another state~~  
15       ~~and subsequently operate such passenger vehicle in this~~  
16       ~~Commonwealth on a regular basis.~~

17               ~~(2) Any person violating the provisions of this~~  
18       ~~subsection shall be guilty of a summary offense and shall pay~~  
19       ~~a mandatory fine of \$500.~~

20   § 1303. VEHICLES OF NONRESIDENTS EXEMPT FROM REGISTRATION.       <—

21       (A) GENERAL RULE.--A NONRESIDENT OWNER OF ANY FOREIGN  
22 VEHICLE MAY OPERATE OR PERMIT THE OPERATION OF THE VEHICLE  
23 WITHIN THIS COMMONWEALTH WITHOUT REGISTERING THE VEHICLE IN THIS  
24 COMMONWEALTH OR PAYING ANY FEES TO THE COMMONWEALTH, PROVIDED  
25 THE VEHICLE AT ALL TIMES WHEN OPERATED IN THIS COMMONWEALTH IS  
26 DULY REGISTERED WHERE REQUIRED AND IN FULL COMPLIANCE WITH THE  
27 REGISTRATION REQUIREMENTS OF THE PLACE OF RESIDENCE OF THE OWNER  
28 AND FURTHER PROVIDED THE VEHICLE IS NOT:

29               (1) USED FOR THE TRANSPORTATION OF PERSONS FOR HIRE,  
30       COMPENSATION OR PROFIT;

(2) REGULARLY OPERATED IN CARRYING ON BUSINESS WITHIN THIS COMMONWEALTH;

(3) DESIGNED, USED OR MAINTAINED PRIMARILY FOR THE TRANSPORTATION OF PROPERTY FOR HIRE, COMPENSATION OR PROFIT AND NOT SUBJECT TO RECIPROCITY UNDER SECTION 6144 (RELATING TO VEHICLE REGISTRATION AND LICENSING) OR 6149 (RELATING TO AUTOMATIC RECIPROCITY); OR

[(4) SPECIAL MOBILE EQUIPMENT IF NOT ALSO REQUIRED TO BE AND ACTUALLY REGISTERED UNDER THE LAWS OF THE PLACE OF RESIDENCE OF THE OWNER.]

\* \* \*

[(E) TRAILER AS PART OF REGISTERED COMBINATION.--ANY MOTOR VEHICLE REGISTERED AS A COMBINATION IN THIS COMMONWEALTH MAY TOW A TRAILER REGISTERED IN ANOTHER STATE PROVIDED:

(1) THE OWNER HAS AS MANY TRAILERS REGISTERED IN THIS COMMONWEALTH AS COMBINATIONS SO REGISTERED; OR

(2) THE TOWING VEHICLE IS BEING OPERATED UNDER A PERMANENT LEASE TO A PERSON MEETING THE REQUIREMENTS OF PARAGRAPH (1).]

§ 1304. Registration criteria.

\* \* \*

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

(1) the limiting weights established on the basis of axle load, tire load, horsepower or gross weight by type of vehicles;

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

(3) a combination weight greater than the gross

1 combination weight rating.

2 In the case of a vehicle in which no gross vehicle weight rating  
3 or gross combination weight rating is assigned by the  
4 manufacturer or where the vehicle has been altered subsequent to  
5 manufacture to change its weight bearing capacity, an equivalent  
6 rating [shall] may be determined by the department on the basis  
7 of the vehicle's horsepower, braking ability, axle limitations  
8 and such other factors related to safe operation as may be  
9 established by regulations of the department. The limitations of  
10 this subsection do not apply to motor vehicles registered prior  
11 to July 1, 1977 or if the ~~manufacturers~~ MANUFACTURER'S Statement <—  
12 of Origin indicates that the vehicle is a 1977 model year OR <—  
13 EARLIER.

14 \* \* \*

15 § 1305. Application for registration.

16 (a) General rule.--Application for the registration of a  
17 vehicle shall be made to the department upon the appropriate  
18 form or forms furnished by the department. The application shall  
19 contain the full name and address of the owner or owners; the  
20 make, [model,] year and vehicle identification number of the  
21 vehicle; and such other information as the department may  
22 require including information pertaining to insurance.

23 Applicants for registration of a truck, truck tractor, trailer  
24 or bus shall provide the vehicle's Gross Vehicle Weight Rating  
25 (GVWR), or the Gross Combination Weight Rating (GCWR), as  
26 applicable. If the manufacturer's ratings are not available, the  
27 applicant shall provide sufficient information as to the  
28 horsepower, braking capacity and such other data as necessary  
29 for the department to determine an equivalent measure of the  
30 vehicle's hauling and stopping capability. If the applicant

1 wishes to register a vehicle at a registered gross weight less  
2 than the gross vehicle weight rating, the application shall  
3 include information as to weight, load and any other such  
4 information as the department may require. The application shall  
5 be accompanied by [proof of insurance and] the applicable fee.

6       \* \* \*

<—

7       (B) EVIDENCE OF P.U.C. APPROVAL FOR BUSES AND [TAXIS]  
8 TAXICABS.--BEFORE REGISTERING ANY BUS OR [TAXI] TAXICAB WHICH IS  
9 REQUIRED UNDER THE LAWS OF THIS COMMONWEALTH TO OBTAIN A  
10 CERTIFICATE OF PUBLIC CONVENIENCE FROM THE PENNSYLVANIA PUBLIC  
11 UTILITY COMMISSION, THE DEPARTMENT SHALL REQUIRE EVIDENCE THAT  
12 THE CERTIFICATE HAS BEEN ISSUED AND HAS NOT BEEN REVOKED OR HAS  
13 NOT EXPIRED.

<—

14       (C) DESIGNATION OF LESSEE AS REGISTRANT.--THE OWNER AS  
15 LESSOR MAY DESIGNATE THE LESSEE AS THE REGISTRANT OF THE VEHICLE  
16 AND THE NAME AND ADDRESS OF THE LESSEE MAY BE SUBSTITUTED ON THE  
17 REGISTRATION CARD FOR THE ADDRESS OF THE LESSOR. THE DEPARTMENT  
18 SHALL DESIGNATE THE RELATIONSHIP UPON THE CARD IN A MANNER IT  
19 DEEMS APPROPRIATE. THIS SUBSECTION IS APPLICABLE ONLY FOR THE  
20 PERIOD DURING WHICH THE LEASE REMAINS IN EFFECT.

21 § 1306. Grounds for refusing registration.

22       The department shall refuse registration [and] or renewal or  
23 transfer of registration when any of the following circumstances  
24 exists:

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

27           (2) The applicant has at registration or titling  
28 neglected or refused to furnish the department with the  
29 information required on the appropriate official form, or any  
30 reasonable additional information required by the department.

(3) The department has reasonable grounds to believe that the application contains false or fraudulent information, or that the vehicle is stolen, which fact the department shall ascertain by reference to the stolen vehicle file required to be maintained under section 7114 (relating to records of stolen vehicles), or that the granting of registration would constitute a fraud against the rightful owner or other person having a valid lien upon the vehicle.

(4) [The fees required by law] Any fees required by this title have not been paid.

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

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

§ 1307. Period of registration.

\* \* \*

(e) Antique and [classic] historic vehicles.--Antique and [classic] historic motor vehicle registrations shall expire upon the junking, scrapping or transfer of ownership of the vehicle, except that if the transfer is between spouses or between parent and child the registration may be transferred upon payment of a transfer fee.

§ 1309. Renewal of registration.

Prior to the expiration of each registration, the department shall send to the registrant an application for renewal of registration. The application shall contain the full name and address of the owner or owners; the make and vehicle identification number of the vehicle; and such other information as the department may require including information pertaining to insurance. Upon return of the application, accompanied by

<—



1 [proof of insurance and] the applicable fee, the department  
2 shall send to the registrant a renewed registration card.  
3 Failure to receive a renewal application shall not relieve a  
4 registrant from the responsibility to renew the registration.

5 § 1310. TEMPORARY REGISTRATION CARDS. <—

6 (A) GENERAL RULE.--THE DEPARTMENT SHALL PROVIDE TEMPORARY  
7 REGISTRATION CARDS FOR USE PENDING ISSUANCE OR TRANSFER OF  
8 PERMANENT REGISTRATION CARDS. TEMPORARY REGISTRATION CARDS MAY  
9 BE DELIVERED TO DESIGNATED AGENTS WHO SHALL HAVE THE AUTHORITY  
10 TO ISSUE THEM IN ACCORDANCE WITH REGULATIONS PROMULGATED BY THE  
11 DEPARTMENT. ANY AGENT ISSUING TEMPORARY REGISTRATION CARDS IN  
12 VIOLATION OF DEPARTMENT REGULATIONS IS GUILTY OF A SUMMARY  
13 OFFENSE AND SHALL, UPON CONVICTION, BE SENTENCED TO PAY A FINE  
14 OF \$300.

15 (B) DURATION.--TEMPORARY REGISTRATION CARDS SHALL BE VALID  
16 FOR SUCH PERIOD AS THE DEPARTMENT SHALL DESIGNATE.

17 (C) CHARGES BY DESIGNATED AGENT.--A DESIGNATED AGENT MAY NOT  
18 CHARGE ANY FEE FOR ISSUING A TEMPORARY REGISTRATION CARD OTHER  
19 THAN NOTARY FEES.

20 § 1311. Registration card to be signed and [exhibited on  
21 demand] in possession of driver.

22 (a) Signing card.--Upon receiving the registration card or  
23 any duplicate, the registrant shall sign his name in the space  
24 provided.

25 (b) [Carrying and exhibiting card] Driver to possess card.--  
26 Every registration card shall, at all times while the vehicle is  
27 being operated upon a highway, be in the possession of the  
28 person driving or in control of the vehicle or carried in the  
29 vehicle. [and shall be exhibited upon demand of any police  
30 officer.]

(c) Production to avoid [penalty] prosecution.--No person shall be ~~{convicted of}~~ ~~charged with~~ violating this section or section [1302 (relating to vehicles {subject to} ~~exempt from~~ registration)] 1301 (RELATING TO REGISTRATION AND CERTIFICATE OF TITLE REQUIRED) if the person produces~~at the office of the~~ issuing authority [or ~~at the office of the {arresting}~~ ~~investigating~~ police officer] within five days of the violation[, a registration card valid in this Commonwealth at the time of the arrest.]:

(1) a registration card valid in this Commonwealth at the time of the arrest VIOLATION; or

(2) if the registration card is lost, stolen, destroyed or illegible, a notarized or photostatic copy of an application for a duplicate MADE PRIOR TO THE DATE OF THE VIOLATION.

§ 1312. NOTICE OF CHANGE OF NAME OR ADDRESS.

ANY PERSON WHOSE ADDRESS IS CHANGED FROM THE ADDRESS NAMED IN THE APPLICATION FOR REGISTRATION OR ON THE REGISTRATION CARD OR WHOSE NAME IS CHANGED SHALL, WITHIN 15 DAYS, NOTIFY THE DEPARTMENT [IN WRITING] ON A DEPARTMENT FORM OF THE OLD AND NEW ADDRESS, OR OF SUCH FORMER AND NEW NAMES, AND OF THE [OPERATOR'S] REGISTRATION NUMBER ON ANY REGISTRATION CARD THEN HELD BY THE PERSON.

§ 1313. Duplicate registration cards.

\* \* \*

[(c) Affidavit to avoid penalty.--No owner or operator of a vehicle shall be subject to a fine for failure to have the registration card if the owner or operator makes affidavit that the card was lost or stolen within the period of 20 days preceding and that application for new registration card was

1 made within 48 hours as required in this section.]

2 § 1315. OPERATION OF VEHICLE FOLLOWING DEATH OF OWNER. <—

3 WHEN THE OWNER OF A VEHICLE IS DECEASED, THE VEHICLE MAY BE  
4 OPERATED BY OR FOR ANY HEIR OR PERSONAL REPRESENTATIVE OF THE  
5 DECEDENT FOR THE REMAINDER OF THE CURRENT REGISTRATION PERIOD  
6 AND, IF THE REGISTRATION IS RENEWED IN THE NAME OF THE  
7 DECEDENT'S ESTATE AS OTHERWISE REQUIRED BY THIS CHAPTER,  
8 THROUGHOUT THE NEXT FOLLOWING REGISTRATION PERIOD[, PROVIDED  
9 THAT THE REGISTRATION IS RENEWED IN THE NAME OF THE DECEDENT'S  
10 ESTATE AS OTHERWISE REQUIRED BY THIS CHAPTER]. REGISTRATION MAY  
11 CONTINUE TO BE RENEWED THEREAFTER IN THE NAME OF THE DECEDENT'S  
12 ESTATE BY ANY PERSON ENTITLED TO THE FAMILY EXEMPTION UNTIL THE  
13 FINAL ACCOUNT IS APPROVED BY THE COURT.

14 § 1331. Issuance of registration plates.

15 \* \* \*

16 (E) ISSUANCE OF PLATES BY AGENTS.--THE DEPARTMENT MAY <—  
17 DELIVER REGISTRATION PLATES, OTHER THAN SPECIAL PLATES, TO  
18 DESIGNATED AGENTS, WHO SHALL HAVE THE AUTHORITY TO ISSUE THEM IN  
19 CONJUNCTION WITH THE ISSUANCE OF TEMPORARY REGISTRATION CARDS.  
20 ANY AGENT ISSUING REGISTRATION PLATES IN VIOLATION OF DEPARTMENT  
21 REGULATIONS IS GUILTY OF A SUMMARY OFFENSE AND SHALL, UPON  
22 CONVICTION, BE SENTENCED TO PAY A FINE OF \$300.

23 (f) Registration plates for trucks and truck tractors.--The  
24 department shall immediately establish and implement a system to <—  
25 insure that all trucks and truck tractors of Class 11 or higher  
26 registered pursuant to this title and subject to the fees  
27 established for such classes by section 1916 (relating to trucks  
28 and truck tractors) receive, at each annual registration, a new  
29 registration plate which is clearly distinguishable from the  
30 registration plates issued for the prior two years.

1 § 1333. Lost, stolen, damaged or illegible registration plate.

2 \* \* \*

3 (c) [Affidavit] Proof of application to avoid penalty.--No  
4 owner or operator of a vehicle shall be subject to a fine for  
5 the reason that the registration plate is missing if they have  
6 in their possession [an affidavit that the plate was lost or  
7 stolen and that] a notarized or photostatic copy of an  
8 application for new plate or plates [was made within 48 hours]  
9 MADE as required in this section. <—

10 § 1334. Return of registration plate.

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

13 (1) A registration plate shall be returned if the  
14 [registrant no longer has a vehicle titled in this  
15 Commonwealth.] ownership of the vehicle is transferred unless  
16 the registration plate is transferred with the vehicle or to  
17 another vehicle as provided in section 1314 (relating to  
18 transfer of registration).

19 (2) A legislative registration plate shall be returned  
20 on the expiration or termination of the term of office of the  
21 legislative member.

22 (3) A dealer or "Miscellaneous Motor Vehicle Business"  
23 registration plate shall be returned if the business is  
24 discontinued.

25 (4) A handicapped registration plate shall be returned  
26 if the person to whom it was issued no longer qualifies under  
27 section 1338 (relating to handicapped plate).

28 \* \* \*

29 § 1335. REGISTRATION PLATES FOR MANUFACTURERS AND DEALERS. <—

30 (A) GENERAL RULE.--THE DEPARTMENT SHALL ISSUE TO DEALERS AND

1 MANUFACTURERS LICENSED BY THE STATE BOARD OF MOTOR VEHICLE  
2 MANUFACTURERS, DEALERS AND SALESMEN OF THE DEPARTMENT OF STATE  
3 SPECIAL REGISTRATION PLATES WHICH MAY BE DISPLAYED ON VEHICLES  
4 OPERATING ON HIGHWAYS IN LIEU OF REGISTERING EACH VEHICLE  
5 INDIVIDUALLY [IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION  
6 1302(A) (RELATING TO VEHICLES SUBJECT TO REGISTRATION)].

7 (B) APPLICATION FOR PLATES.--APPLICATION FOR DEALER OR  
8 MANUFACTURER REGISTRATION PLATES SHALL BE MADE BY THE DEALER OR  
9 MANUFACTURER ON A FORM PROVIDED BY THE DEPARTMENT TOGETHER WITH  
10 A COPY OF HIS LICENSE FROM THE STATE BOARD OF MOTOR VEHICLE  
11 MANUFACTURERS, DEALERS AND SALESMEN.

12 (C) EXEMPTION FROM INDIVIDUAL REGISTRATION.--VEHICLES  
13 DISPLAYING DEALER OR MANUFACTURER REGISTRATION PLATES MAY BE  
14 OPERATED ON THE HIGHWAY WITHOUT REGISTERING EACH VEHICLE  
15 INDIVIDUALLY, PROVIDED THAT THE PLATES ARE USED IN ACCORDANCE  
16 WITH THE LIMITATIONS OF SECTION 1336 (RELATING TO USE OF DEALER  
17 OR MANUFACTURER REGISTRATION PLATES).

18 § 1336. Use of dealer OR MANUFACTURER registration plates. <—

19 \* \* \* <—

20 (A) GENERAL RULE.--DEALER OR MANUFACTURER REGISTRATION <—  
21 PLATES MAY BE USED ON ANY VEHICLE OWNED OR IN POSSESSION OF A  
22 DEALER OR MANUFACTURER AND OPERATED BY THE DEALER OR  
23 MANUFACTURER OR THEIR EMPLOYEES ONLY WHEN THE VEHICLE IS USED  
24 FOR ANY OF THE FOLLOWING PURPOSES:

25 (1) IN THE BUSINESS OF THE REGISTRANT AS A DEALER OR  
26 MANUFACTURER EXCEPT THAT A DEALER OR MANUFACTURER  
27 REGISTRATION PLATE SHALL NOT BE USED ON A WRECKER.

28 (2) FOR THE PERSONAL PLEASURE OR USE OF THE DEALER OR  
29 MEMBERS OF HIS IMMEDIATE FAMILY, OR WHEN THE DEALER IS A  
30 CORPORATION, FOR THE PERSONAL PLEASURE OR USE OF THE OFFICERS

OR MEMBERS OF THEIR IMMEDIATE FAMILIES, OR FOR THE PERSONAL  
USE OF THE REGULAR EMPLOYEES OF THE DEALER.

(3) FOR TEACHING STUDENTS ENROLLED IN AN APPROVED DRIVER  
EDUCATION COURSE HOW TO OPERATE A VEHICLE AND FOR THE NEW  
DRIVER TO TAKE AN EXAMINATION FOR A DRIVER'S LICENSE.

(4) FOR TESTING VEHICLES IN THE POSSESSION OF THE DEALER  
OR MANUFACTURER.

(5) FOR DEMONSTRATING VEHICLES IN THE POSSESSION OF THE  
DEALER OR MANUFACTURER.

(6) FOR LOANING TO CUSTOMERS WHOSE VEHICLES ARE BEING  
REPAIRED.

(7) FOR LOANING TO PROSPECTIVE PURCHASERS FOR A PERIOD  
NOT EXCEEDING FIVE DAYS FOR THE PURPOSE OF DEMONSTRATING  
VEHICLES.

(B) RECORDS.--RECORDS SHALL BE KEPT BY THE DEALER OR  
MANUFACTURER IN A MANNER PRESCRIBED BY THE DEPARTMENT INDICATING  
WHICH VEHICLES HAVE BEEN USED AS PROVIDED IN SUBSECTION (A)(3),  
(6) AND (7). THE RECORDS SHALL BE OPEN TO INSPECTION BY  
REPRESENTATIVES OF THE DEPARTMENT AND POLICE OFFICERS.

(c) Motorcycle and motorized pedalcycle dealer plates.--  
Motorcycle and motorized pedalcycle dealer OR MANUFACTURER <—  
plates used as provided in subsection (a)(1) may only be used on  
motorcycles and motorized pedalcycles, as the case may be.

(D) DEALER AUTHORIZED TO PURCHASE CERTAIN OTHER PLATES.--ANY <—  
DEALER MAY PURCHASE DEALER REGISTRATION PLATES FOR ALL TYPES OF  
VEHICLES.

§ 1337. Use of "Miscellaneous Motor Vehicle Business"  
registration plates.

(a) General rule.--The department shall issue to owners of  
miscellaneous motor vehicle businesses special registration

1 plates which may be displayed on vehicles operated on highways  
2 in lieu of registering each vehicle individually [in accordance <—  
3 with the requirements of section 1302(a) (relating to vehicles  
4 {subject to} ~~exempt from~~ registration)]. Registration plates <—  
5 issued under this section may be used only when the vehicle is  
6 used {for [any] of} the following purposes: <—

7 (1) In the conduct of the miscellaneous motor vehicle  
8 business EXCEPT THAT A "MISCELLANEOUS MOTOR VEHICLE BUSINESS" <—  
9 REGISTRATION PLATE SHALL NOT BE USED ON A WRECKER.

10 (2) For the personal pleasure or use of the owner of the  
11 miscellaneous motor vehicle business or members of their  
12 immediate family, or when the business is a corporation, for  
13 the pleasure or use of not more than three officers or  
14 members of their immediate families, or for the personal use  
15 of the regular employees of the business when operated by the  
16 employee.

17 (3) For loaning to customers whose vehicles are being  
18 repaired.

19 (4) IN THE CASE OF A FLEET OWNER, FOR PICKUP OR DELIVERY <—  
20 OF THEIR VEHICLES.

21 \* \* \*

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

23 (1) Repair[, service and towing] OR SERVICE.--Any person <—  
24 engaged in the repair[, service or towing] OR SERVICE of <—  
25 motor vehicles.

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

1 parts.

2 (3) Transporter.--A person regularly engaged in the  
3 business of transporting new or used vehicles [or new and  
4 used trailers] on their own wheels, owned by or in possession  
5 of a registered dealer.

6 (4) [Financier] Financer or collector-repossessor.--A  
7 person who is [duly] authorized BY THE DEPARTMENT OF BANKING <—  
8 to do business in this Commonwealth as a [financier] financer  
9 or collector-repossessor and who is regularly engaged in the  
10 business of financing sales, making loans on the security of  
11 vehicles or repossessing vehicles which are the subject of  
12 installment sales contracts as an independent contractor.

13 (5) FLEET OWNER.--A PERSON OR ENTITY DEFINED IN THIS <—  
14 TITLE AS A FLEET OWNER.

15 § 1338. Handicapped plate.

16 On the application of any person who:

17 (1) does not have full use of a leg or both legs or an  
18 arm or both arms OR BOTH HANDS; <—

19 (2) is blind; [or] <—

20 (3) is ~~the spouse, parent or person~~ [in loco parentis of <—  
21 a person specified in paragraph (1) or (2)] UNABLE TO MOVE <—  
22 WITHOUT THE AID OF A MECHANICAL DEVICE;

23 (4) SUFFERS FROM LUNG DISEASE TO SUCH AN EXTENT THAT HIS  
24 FORCED (RESPIRATORY) EXPIRATORY VOLUME FOR ONE SECOND WHEN  
25 MEASURED BY SPIROMETRY IS LESS THAN ONE LITER OR HIS  
26 ARTIFICIAL OXYGEN TENSION (PO2) IS LESS THAN 60MM/HG ON ROOM  
27 AIR AT REST; OR

28 (5) IS A PARENT OR A PERSON IN LOCO PARENTIS OF A PERSON  
29 SPECIFIED IN PARAGRAPH (1), (2), (3) OR (4);

30 the department shall issue a special registration plate for [one



1 passenger car or other vehicle] passenger cars or other vehicles  
2 with a registered gross weight of not more than 9,000 pounds,  
3 designating the vehicle so licensed as being used by a  
4 handicapped person. Special plates for handicapped persons may  
5 also be issued for vehicles operated exclusively for the  
6 NONCOMMERCIAL use and benefit of handicapped persons. <—

7 § 1340. Antique and [classic] historic plates.

8 (a) General rule.--Upon submission by a vehicle owner of  
9 information satisfactory to the department that a motor vehicle  
10 is an antique motor vehicle or [classic] historic motor vehicle,  
11 accompanied by the appropriate fee, the department may issue  
12 special plates for the vehicle. No annual registration fee may  
13 be charged for antique or [classic] historic motor vehicles.

14 (b) Use of plates.--It is unlawful for any person to operate  
15 a vehicle with antique or [classic] historic registration plates  
16 for general daily transportation. Permitted use shall be limited  
17 to participation in club activities, exhibits, tours, parades,  
18 occasional transportation and similar uses.

19 ~~§ 1341. Personal plate.~~ <—

20 ~~(a) General rule. Upon request by the applicant, the~~  
21 ~~department [may] shall issue registration plates consisting of~~  
22 ~~any combination of numbers, letters or numbers and letters.~~  
23 ~~These special plates may be issued for special groups or for~~  
24 ~~special purposes and bear an appropriate designation. [They~~  
25 ~~shall have the same force and effect as regular registration~~  
26 ~~plates.] The department may refuse any combination of letters~~  
27 ~~and numbers for cause and shall adopt reasonable rules and~~  
28 ~~regulations for the issuance of the plates and for carrying out~~  
29 ~~the provisions of this section. [The applicant shall comply with~~  
30 ~~all laws and regulations pertaining to registration including~~

1 ~~the payment of any additional fees.}~~

2 ~~(b) Amateur radio operators. Upon request by an applicant~~  
3 ~~who holds a valid Federal Communications Commission amateur~~  
4 ~~radio station license, the department shall issue a registration~~  
5 ~~plate which shall carry the call letters of the amateur radio~~  
6 ~~station.~~

7 ~~(c) Veterans. On the application of a veteran whose status~~  
8 ~~is certified by the United States Veterans Administration, the~~  
9 ~~department shall issue a special registration plate designating~~  
10 ~~the vehicle as belonging to a veteran. The registration plate~~  
11 ~~shall have the word "veteran", in at least ten point bold type,~~  
12 ~~inscribed on the bottom of the plate.~~

13 ~~(d) Status of plates. The plates shall have the same force~~  
14 ~~and effect as regular registration plates and the applicant~~  
15 ~~shall comply with all laws and regulations pertaining to~~  
16 ~~registration including the payment of any additional fees.~~

17 § 1342. Disabled veteran plate.

18 On the application of a [totally] disabled veteran, whose  
19 disability is certified by the United States Veterans'  
20 Administration as service-connected, the department shall issue  
21 a special registration plate designating the vehicle as  
22 belonging to a [totally] disabled veteran. The registration  
23 plate shall have a white background, shall have blue numbers or  
24 letters as the department may determine, and shall have the  
25 words, "disabled veteran," in at least ten-point bold type,  
26 inscribed in red at the bottom of the plate. The special  
27 registration plate may be used only on one passenger vehicle or  
28 one other vehicle with a registered gross weight of not more  
29 than 9,000 pounds.

30 § 1343. AMATEUR RADIO OPERATOR PLATES.

<—

1       UPON REQUEST BY AN APPLICANT WHO HOLDS A VALID FEDERAL  
2       COMMUNICATIONS COMMISSION AMATEUR RADIO STATION LICENSE, THE  
3       DEPARTMENT SHALL ISSUE A REGISTRATION PLATE WHICH SHALL CARRY  
4       THE CALL LETTERS OF THE AMATEUR RADIO STATION. THE AMATEUR RADIO  
5       REGISTRATION PLATES SHALL HAVE THE SAME FORCE AND EFFECT AS  
6       REGULAR REGISTRATION PLATES. THE APPLICANT SHALL COMPLY WITH ALL  
7       LAWS AND REGULATIONS PERTAINING TO REGISTRATION INCLUDING THE  
8       PAYMENT OF THE FEE SPECIFIED IN SECTION 1933 (RELATING TO  
9       AMATEUR RADIO OPERATOR PLATES.

10   § [1343.] 1344.   USE OF SCHOOL BUS PLATES.

11       (A)   GENERAL RULE.--A MOTOR VEHICLE BEARING SCHOOL BUS  
12       REGISTRATION PLATES SHALL BE USED EXCLUSIVELY FOR THE  
13       TRANSPORTATION OF CHILDREN AND [NO MORE THAN FIVE] CHAPERONS TO  
14       OR FROM PUBLIC, PRIVATE, PAROCHIAL OR SUNDAY SCHOOL OR IN  
15       CONNECTION WITH ANY PUBLIC, PRIVATE, PAROCHIAL OR SUNDAY SCHOOL-  
16       RELATED ACTIVITY. EXCEPT WHEN TRANSPORTING CHILDREN TO AND FROM  
17       PUBLIC, PRIVATE, PAROCHIAL OR SUNDAY SCHOOL OR PUBLIC, PRIVATE,  
18       PAROCHIAL OR SUNDAY SCHOOL-RELATED ACTIVITIES, THE WORDS "SCHOOL  
19       BUS" ON THE FRONT AND REAR OF THE VEHICLE SHALL BE CONCEALED AND  
20       THE RED AND AMBER VISUAL SIGNALS SHALL NOT BE OPERABLE.

21       (B)   PENALTY.--ANY PERSON VIOLATING THIS SECTION IS GUILTY OF  
22       A SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE SENTENCED TO  
23       PAY A FINE OF \$25.

24   § [1344.] 1345.   Use of farm truck plates.

<—

25       (a)   General rule.--A truck bearing farm truck registration  
26       plates shall be used exclusively upon a farm or farms owned or  
27       operated by the registrant of the vehicle or upon highways  
28       between:

29           (1)   Parts of one such farm.

30           (2)   [Farms located not more than 25 miles apart.] Such

1 farms.

2 (3) [A] Such a farm or farms and a place of business  
3 [located within a radius of 50 miles from the farm or farms]  
4 for the purpose of buying or selling agricultural commodities  
5 or supplies or for the inspection, repair or servicing of the  
6 vehicle.

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 [~~\$25~~] \$50 and shall, upon conviction for a second  
10 or subsequent offense, be sentenced to pay a fine of \$200.

11 ~~§ 1345.~~ 1346. USE OF WRECKER PLATES.

<—

12 (A) GENERAL RULE.--NO VEHICLE SHALL BE OPERATED AS A WRECKER  
13 UNLESS IT BEARS A WRECKER REGISTRATION PLATE.

14 (B) EXCEPTION.--A TRUCK OR TRUCK TRACTOR REGISTERED IN CLASS  
15 4 OR HIGHER MAY OPERATE AS A WRECKER WITHOUT A WRECKER  
16 REGISTRATION PLATE.

17 § 1371. OPERATION FOLLOWING SUSPENSION OF REGISTRATION.

18 (A) GENERAL RULE.--NO PERSON SHALL OPERATE AND NO OWNER  
19 SHALL PERMIT TO BE OPERATED UPON ANY HIGHWAY A VEHICLE THE  
20 REGISTRATION OF WHICH HAS BEEN SUSPENDED.

21 (B) REGISTRATION OUTSIDE COMMONWEALTH PROHIBITED.--NO PERSON  
22 SHALL REGISTER IN ANOTHER STATE A VEHICLE FOR WHICH THE  
23 REGISTRATION IS UNDER SUSPENSION IN THIS COMMONWEALTH.

24 [(B)] (C) PENALTY.--ANY PERSON VIOLATING THIS SECTION IS  
25 GUILTY OF A SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE  
26 SENTENCED TO PAY A FINE OF NOT LESS THAN \$100 NOR MORE THAN  
27 \$500.

28 § 1373. Suspension of registration.

29 The department may suspend any registration [after providing  
30 opportunity for a hearing] in any of the following cases when

1 the department finds upon sufficient evidence that:

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

4 (2) The owner or registrant has made, or permitted to be  
5 made, any unlawful use of the vehicle or registration plate  
6 or plates, or registration card, or permitted the use by a  
7 person not entitled thereto.

8 (3) The owner or registrant has knowingly made a false  
9 statement or knowingly concealed a material fact or otherwise  
10 committed a fraud in any application or form required to be  
11 filed by this title.

12 (4) [Upon the request or order of any] A court of record <—  
13 REQUESTED OR ORDERED THE SUSPENSION. <—

14 (5) [The required fee has not been paid.] A check  
15 received in payment of the fee ANY FEE FOR TITLE OR <—  
16 REGISTRATION OF THE VEHICLE is not paid on demand or when the  
17 fee for the registration is unpaid and owing. This suspension <—  
18 shall remain in effect until the required fee and penalty  
19 have been paid.

20 (6) The registrant or any agent or employee has  
21 repeatedly violated any of the provisions of this chapter or  
22 Chapter 11 (relating to certificate of title and security  
23 interests).

24 § 1374. Suspension of vehicle business registration plates.

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

30 (1) The registrant is no longer entitled to licensing as

1 a dealer or manufacturer or to registration in the  
2 "Miscellaneous Motor Vehicle Business" class.

3 (2) The registrant has made or permitted to be made any  
4 unlawful use of the vehicle or registration plate or plates  
5 or registration card or permitted the use by a person not  
6 entitled thereto.

7 (3) The registrant has knowingly made a false statement  
8 or knowingly concealed a material fact or otherwise committed  
9 a fraud in any application.

10 (4) The registrant has failed to give notice of transfer  
11 of ownership or of the destruction or [junking] SALVAGING of <—  
12 any vehicle when and as required by this title.

13 (5) The registrant has failed to deliver to a transferee  
14 lawfully entitled thereto or to the department, when and as  
15 required by this title, a properly assigned certificate of  
16 title.

17 (6) The registrant has repeatedly violated any of the  
18 provisions of this title OR OF DEPARTMENT REGULATIONS. <—

19 (7) [Any fee payable to the Commonwealth in connection  
20 with the operation of the business of the registrant has not  
21 been paid.] A check received payable to the Commonwealth in  
22 connection with the operation of the business of the  
23 registrant is not paid on demand or when any fee is unpaid <—  
24 and owing. This suspension shall remain in effect until the  
25 required fee and penalty have been paid.

26 \* \* \*

27 (B) [RECOMMENDED ACTION BY STATE LICENSING BOARD] AUDITS AND <—  
28 INVESTIGATIONS.--THE DEPARTMENT AND THE PENNSYLVANIA STATE  
29 POLICE MAY [ALSO] AUDIT AND INVESTIGATE DEALERS AND  
30 MANUFACTURERS [REGISTERED BY THE STATE BOARD OF MOTOR VEHICLE

1 MANUFACTURERS, DEALERS AND SALESMEN] TO DETERMINE WHETHER ANY  
2 DEALER OR MANUFACTURER HAS VIOLATED ANY PROVISION OF THIS TITLE  
3 PERTAINING TO DEALERS OR MANUFACTURERS OR ANY REGULATION  
4 PROMULGATED BY THE DEPARTMENT.

5 (C) RECOMMENDING ACTION BY STATE LICENSING BOARD.--THE  
6 DEPARTMENT MAY RECOMMEND THAT THE STATE BOARD OF MOTOR VEHICLE  
7 MANUFACTURERS, DEALERS AND SALESMEN SUSPEND THE LICENSE OF ANY  
8 DEALER OR MANUFACTURER WHICH IT FINDS HAS COMMITTED A VIOLATION  
9 AND THE BOARD SHALL TAKE PROMPT ACTION ON ANY SUCH  
10 RECOMMENDATIONS UNDER THE ACT OF SEPTEMBER 9, 1965 (P.L.499,  
11 NO.154), KNOWN AS THE "MOTOR VEHICLE MANUFACTURER'S, DEALER'S  
12 AND SALESMEN'S LICENSE ACT."

13 § 1375. SUSPENSION OF REGISTRATION OF UNAPPROVED CARRIERS.

14 (A) GENERAL RULE.--THE DEPARTMENT SHALL SUSPEND THE  
15 REGISTRATION OF ANY VEHICLE UPON THE PRESENTATION TO THE  
16 DEPARTMENT OF A CERTIFICATE OF THE PENNSYLVANIA PUBLIC UTILITY  
17 COMMISSION SETTING FORTH, AFTER HEARING AND INVESTIGATION, THAT  
18 THE COMMISSION HAS FOUND AND DETERMINED THAT THE VEHICLE HAS  
19 BEEN OPERATED AS A COMMON CARRIER OR CONTRACT CARRIER BY MOTOR  
20 VEHICLE WITHIN THIS COMMONWEALTH WITHOUT THE APPROVAL OF THE  
21 COMMISSION WHERE REQUIRED AND EITHER THAT NO APPEAL WAS FILED  
22 FROM SUCH DETERMINATION IN THE MANNER AND WITHIN THE TIME  
23 PROVIDED BY LAW OR THAT THE DETERMINATION WAS AFFIRMED ON  
24 APPEAL.

25 (B) RESCISSION OF SUSPENSION.--ANY SUSPENSION OF  
26 REGISTRATION UNDER THIS SECTION MAY BE RESCINDED BY THE  
27 DEPARTMENT UPON THE PETITION OF THE OWNER OF SUCH VEHICLE OR OF  
28 THE LESSEE PROVIDED THE PETITION IS ACCOMPANIED BY A CERTIFICATE  
29 OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION SETTING FORTH THAT  
30 THE COMMISSION DOES NOT OBJECT TO THE RESCISSION.

1 § 1501. DRIVERS REQUIRED TO BE LICENSED.

2 \* \* \*

3 (C) LIMITATION ON NUMBER OF LICENSES.--NO PERSON SHALL  
4 RECEIVE A DRIVER'S LICENSE UNLESS AND UNTIL THE PERSON  
5 SURRENDERS TO THE DEPARTMENT ALL VALID LICENSES IN THE PERSON'S  
6 POSSESSION ISSUED BY THIS OR ANY OTHER STATE. ALL SURRENDERED  
7 LICENSES ISSUED BY ANOTHER STATE SHALL BE RETURNED TO THAT  
8 STATE, TOGETHER WITH INFORMATION THAT THE PERSON IS LICENSED IN  
9 THIS COMMONWEALTH. NO PERSON SHALL BE PERMITTED TO HAVE MORE  
10 THAN ONE VALID DRIVER'S LICENSE AT ANY TIME. THIS SECTION SHALL  
11 NOT PREVENT ISSUANCE OF A CLASS 4 LICENSE TO A DULY LICENSED  
12 NONRESIDENT WHO SATISFIES THE REQUIREMENTS OF SECTION 1509  
13 (RELATING TO QUALIFICATIONS FOR SCHOOL BUS DRIVER'S LICENSE).

14 (D) PENALTY.--ANY PERSON VIOLATING SUBSECTION (A) IS GUILTY  
15 OF A SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE SENTENCED TO  
16 PAY A FINE OF \$200, EXCEPT THAT, IF THE PERSON CHARGED FURNISHES  
17 SATISFACTORY PROOF OF HAVING HELD A VALID DRIVER'S LICENSE  
18 ISSUED DURING THE PRECEDING DRIVER'S LICENSE PERIOD [AND NO MORE  
19 THAN 30 DAYS HAVE ELAPSED FROM THE LAST DATE FOR RENEWAL,] THE  
20 FINE SHALL BE \$25. NO PERSON CHARGED WITH VIOLATING  
21 [SUBSECTIONS] SUBSECTION (A) OR (B) SHALL BE CONVICTED IF THE  
22 PERSON PRODUCES AT THE OFFICE OF THE ISSUING AUTHORITY [OR THE  
23 ARRESTING POLICE OFFICER] WITHIN FIVE DAYS [A DRIVER'S LICENSE  
24 VALID IN THIS COMMONWEALTH AT THE TIME OF THE ARREST.] OF THE  
25 VIOLATION:

26 (1) A DRIVER'S LICENSE VALID IN THIS COMMONWEALTH AT THE  
27 TIME OF THE VIOLATION; OR

28 (2) IF THE DRIVER'S LICENSE IS LOST, STOLEN, DESTROYED  
29 OR ILLEGIBLE, A NOTARIZED OR PHOTOSTATIC COPY OF AN  
30 APPLICATION FOR A DUPLICATE MADE PRIOR TO THE VIOLATION.



1 § 1502. Persons exempt from licensing.

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

4 \* \* \*

5 (3) Any nonresident who is at least 16 years of age and  
6 who has in possession a valid driver's license issued in the  
7 person's home state or country except that a person who has  
8 been issued a valid driver's license in a country other than  
9 the United States or Canada shall be exempt only upon showing  
10 a satisfactory understanding of official traffic-control  
11 devices. A nonresident [~~may~~~~-shall~~ only] SHALL drive ONLY the <—  
12 class or classes of vehicles in this Commonwealth [~~for~~] which <—  
13 the person is licensed to drive in the person's home state or  
14 country subject to all restrictions contained on the license, <—  
15 EXCEPT THAT A NONRESIDENT SHALL NOT BE AUTHORIZED TO DRIVE A  
16 SCHOOL BUS UNLESS THEY HAVE SATISFIED THE REQUIREMENTS OF  
17 SECTION 1509 (RELATING TO QUALIFICATIONS FOR SCHOOL BUS  
18 DRIVER'S LICENSE).

19 \* \* \*

20 § 1503. Persons ineligible for licensing.

21 (a) [~~General rule~~ ~~Suspension of operating privilege~~].--The <—  
22 department SHALL NOT ISSUE A DRIVER'S LICENSE TO ANY PERSON <—  
23 WHOSE OPERATING PRIVILEGE IS SUSPENDED OR REVOKED IN ANY OTHER  
24 STATE AND shall [~~not issue~~ [~~any~~] A driver's license to, or renew <—  
25 the driver's license of,] ~~suspend the operating privilege of~~ any <—  
26 person:

27 (1) Whose operating privilege is suspended or revoked in  
28 this [or any other state] Commonwealth [except as otherwise <—  
29 provided in this title]. <—

30 [(2) Whose operating privilege is suspended or revoked <—

1 in any other state upon grounds which would authorize the  
2 suspension or revocation of the operating privilege under  
3 this title.] <—

4 [(3)] (2) Who is a user of alcohol or any controlled <—  
5 substance to a degree rendering the user incapable of safely  
6 driving a motor vehicle. This paragraph does not apply to any  
7 person who is enrolled or otherwise participating in a  
8 methadone or other controlled substance treatment program  
9 approved by the Governor's Council on Drug and Alcohol Abuse  
10 provided that the person is certified to be competent to  
11 drive by a physician designated by the Governor's Council on  
12 Drug and Alcohol Abuse.

13 [(4)] (3) Who has been adjudged to be afflicted with or <—  
14 suffering from any mental disability or disease and who has  
15 not at the time of application been restored to competency by  
16 the methods provided by law.

17 [(5) Whose name has been submitted under the provisions <—  
18 of section 1518 (relating to reports on mental or physical  
19 disabilities or disorders).] <—

20 [(6)] (4) Who is required by the department to take an <—  
21 examination {until the person has successfully passed the <—  
22 examination}. <—

23 [(7)] (5) Who is under 18 years of age except in <—  
24 accordance with subsections (b) and (c).

25 [(8) Who has repeatedly violated any of the provisions <—  
26 of this chapter. The department shall provide an opportunity  
27 for a hearing upon invoking this paragraph.] <—

28 ~~A suspension imposed under this subsection shall remain in~~ <—  
29 ~~effect until the cause of the suspension has been rectified.~~

30 (b) Minors completing training course.--The department shall

1 issue a driver's license to a person 17 years of age who:

2 (1) has successfully completed a driver's training  
3 course approved by the [department] Department of Education;  
4 and

5 (2) has not been [involved in an accident for which they  
6 are partially or fully responsible in the opinion of the  
7 department or is] convicted of any violation of this title.

8 (c) Junior driver's license.--The department may issue a  
9 junior driver's license to a person 16 or 17 years of age under  
10 rules and regulations adopted by the department and subject to  
11 the provisions of this section. A junior driver's license shall  
12 automatically become a regular driver's license when the  
13 licensee attains 18 years of age.

14 (1) Except as provided in paragraph (2), no licensed  
15 junior driver shall drive a vehicle upon a [public] highway  
16 between 12 midnight and 5 a.m. unless accompanied by a spouse  
17 18 years of age or older, a parent or a person in loco  
18 parentis.

19 (2) [A licensed junior driver conforming to the  
20 requirements of section 1507 (relating to application for  
21 driver's license or learner's permit by minor) may drive a  
22 vehicle upon a public highway between 12 midnight and 5 a.m.  
23 between their home and their activity or employment or in the  
24 course of their activity or employment if they are a member  
25 of a volunteer fire company authorized by the fire chief to  
26 engage in fighting fires, engaged in public or charitable  
27 service or employed and they are carrying] The restrictions  
28 contained in paragraph (1) do not apply to any licensed  
29 junior driver while engaged in or commuting to or from their  
30 place of employment or public or charitable service, or to

1     any licensed junior driver who is a full member of a  
2     volunteer fire company while actually engaged in or commuting  
3     to or from a fire. Such junior driver must carry and exhibit  
4     upon demand to any police officer or authorized person an  
5     affidavit signed by their fire chief, supervisor or employer  
6     indicating the probable schedule of their activities. Upon  
7     termination of the junior driver's activity or employment,  
8     the junior licensee shall surrender the affidavit to the fire  
9     chief, supervisor or employer. If the junior licensee shall  
10    fail to surrender the affidavit, the employer, fire chief or  
11    supervisor shall immediately notify the [Pennsylvania State  
12    Police] police.

13         (3) In addition to the other provisions of this title  
14    relating to the suspension or revocation of operating  
15    privileges, in the event that a licensed junior driver is  
16    [involved in an accident for which they are partially or  
17    fully responsible in the opinion of the department or is]  
18    convicted of any violation of this title, the department may  
19    suspend the operating privileges of such person until the  
20    person attains 18 years of age or for a period of time not  
21    exceeding 90 days.

22         (4) Any junior licensee or other person violating any  
23    provision of this subsection is guilty of a summary offense.

24    § 1504. Classes of licenses.

25         \* \* \*

26         (C) QUALIFICATIONS OF APPLICANTS.--THE DEPARTMENT IN                   <—  
27    CONJUNCTION WITH THE PENNSYLVANIA STATE POLICE SHALL ESTABLISH  
28    [BY REGULATION] THE QUALIFICATIONS NECESSARY FOR THE SAFE  
29    OPERATION OF THE VARIOUS TYPES, SIZES OR COMBINATIONS OF  
30    VEHICLES AND THE MANNER OF EXAMINING APPLICANTS TO DETERMINE

1 THEIR QUALIFICATIONS FOR THE TYPE OR GENERAL CLASS OF LICENSE  
2 APPLIED FOR.

3 (d) Number and description of classes.--Licenses issued by  
4 the department, OTHER THAN JUNIOR DRIVERS' LICENSES, shall be <—  
5 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 30,000 pounds registered  
9 gross weight or any such vehicle towing a trailer not in  
10 excess of ~~10,000~~ 30,000 pounds gross weight. The holder of <—  
11 a Class 1 license shall be authorized to operate a motorized <—  
12 pedaleycle DRIVE A MOTOR-DRIVEN CYCLE. Any fireman who is the <—  
13 holder of a Class 1 license and who has a certificate of  
14 authorization from his fire chief shall be authorized to <—  
15 operate any vehicle registered to the fire department  
16 regardless of the other requirements of this section as to  
17 the class of license required. The holder of a Class 1  
18 license shall not be deemed qualified to operate buses,  
19 school buses or motorcycles unless the license is endorsed as  
20 provided in this section.

21 (2) Class 2.--A Class 2 license shall be issued to ~~those~~ <—  
22 ~~minors who have been issued a driver's license pursuant to~~  
23 ~~section 1503(b) (relating to minors completing training~~  
24 ~~course) and to~~ those persons [over] 18 years of age] ~~or older~~ <—  
25 who have demonstrated their qualifications to operate a  
26 single vehicle of over 30,000 pounds registered gross weight  
27 or any bus or any such vehicle towing a trailer not in excess  
28 of 10,000 pounds gross weight. The holder of a Class 2  
29 license shall be deemed qualified to operate those vehicles  
30 for which a Class 1 license is issued, but not school buses

1 or motorcycles unless the license is endorsed as provided in  
2 this section.

3 (3) Class 3.--A Class 3 license shall be issued to those  
4 persons [over† 18 years of age] ~~or older~~ who have <—  
5 demonstrated their qualifications to operate a vehicle while  
6 in combination with or towing a trailer in excess of 10,000  
7 pounds gross weight. The holder of a Class 3 license shall be  
8 deemed qualified to operate those vehicles for which a Class  
9 1 or Class 2 license is issued, but not school buses or  
10 motorcycles unless the license is endorsed as provided in  
11 this section.

12 (4) Class 4.--Persons who have qualified to operate  
13 school buses in accordance with this title and the rules and  
14 regulations promulgated and adopted by the department shall  
15 have the qualification endorsed on the license as provided in  
16 this section.

17 (5) Class 5.--Those persons who have demonstrated their  
18 qualifications to operate a motorcycle, shall have that  
19 qualification endorsed on one of the basic classes of license  
20 described in this section. [If a] A person [is] qualified  
21 only to operate a motorcycle [he] shall be issued a license  
22 with only that qualification endorsed on the license.

23 †(6) Class 6.--Those persons who have demonstrated their <—  
24 qualifications to operate a motor-driven cycle [or motorized <—  
25 pedalcycle] shall have that qualification endorsed on one of <—  
26 the basic classes of license described in this section. If a  
27 person is qualified only to operate a motor-driven cycle [or <—  
28 motorized pedalcycle] he shall be issued a license with only <—  
29 that qualification endorsed on the license.† <—

30 (e) Removal of class from license.--

1       (1) The department, having cause to believe that a  
2       person is no longer qualified for one or more of the types or  
3       classes of licenses enumerated in subsection (a)(2) through  
4       (5), may remove the endorsement after 30 days written notice  
5       of the removal to the licensee. Any person aggrieved by  
6       removal of an endorsement may appeal to the court of common  
7       pleas in the manner provided in section 1550 (relating to  
8       judicial review).

9       (2) A person with a license endorsed for a class may,  
10       upon request, have the endorsement removed by the department  
11       without prejudice.

12       (F) PENALTY.--ANY PERSON VIOLATING THE PROVISIONS OF THIS       <—  
13       SECTION IS GUILTY OF A SUMMARY OFFENSE AND SHALL, UPON  
14       CONVICTION, BE SENTENCED TO PAY A FINE OF \$50.

15       (G) PRODUCTION TO AVOID PROSECUTION.--NO PERSON SHALL BE  
16       CHARGED WITH VIOLATING THIS SECTION IF THE PERSON PRODUCES AT  
17       THE OFFICE OF THE INVESTIGATING OFFICER WITHIN FIVE DAYS OF THE  
18       VIOLATION:

19       (1) A DRIVER'S LICENSE ENDORSED AS REQUIRED AND VALID IN  
20       THIS COMMONWEALTH AT THE TIME OF THE ARREST; OR

21       (2) IF THE DRIVER'S LICENSE IS LOST, STOLEN, DESTROYED  
22       OR ILLEGIBLE, A NOTARIZED OR PHOTOSTATIC COPY OF AN  
23       APPLICATION FOR A DUPLICATE.

24       § 1505. Learners' permits.

25       \* \* \*

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

1 (1) is licensed in this Commonwealth to drive vehicles  
2 of the class then being driven by the holder of the learner's  
3 permit; and

4 (2) is actually occupying a seat beside the holder of  
5 the learner's permit, unless the vehicle is a motorcycle, bus  
6 or school bus.

7 (c) Operation of motorcycle.--A motorcycle learner's permit  
8 entitles the person to whom it is issued to operate a motorcycle  
9 only between sunrise and sunset [and, except for a driver  
10 licensed to drive another class of vehicle, only while under the  
11 instruction and immediate supervision of a licensed motorcycle  
12 operator]. Motorcycle learners shall not carry any passenger  
13 other than [an instructor properly] a person licensed to operate  
14 a motorcycle.

15 \* \* \*

16 (e) Learners under 18 years of age.--A learner under the age  
17 of 18 years shall not drive a vehicle upon a highway between 12  
18 midnight and 5 a.m.

19 § 1507. APPLICATION FOR DRIVER'S LICENSE OR LEARNER'S PERMIT <—  
20 BY MINOR.

21 \* \* \*

22 (D) WITHDRAWAL OF CONSENT.--ANY PERSON WHO HAS SIGNED THE  
23 APPLICATION OF A PERSON UNDER THE AGE OF 18 YEARS FOR A DRIVER'S  
24 LICENSE OR LEARNER'S PERMIT MAY THEREAFTER FILE WITH THE  
25 DEPARTMENT A VERIFIED WRITTEN REQUEST THAT THE DRIVER'S LICENSE  
26 OR LEARNER'S PERMIT OF THE PERSON BE [CANCELLED] SUSPENDED AND  
27 THE DEPARTMENT SHALL [CANCEL] SUSPEND THE DRIVER'S LICENSE OR  
28 LEARNER'S PERMIT.

29 ~~§ 1508. Examination of applicant for driver's license.~~ <—

30 ~~(c) Exception. The requirements of subsection (b) shall not~~



~~1 apply to the issuance of a driver's license to a licensed~~  
~~2 nonresident upon application if the department, after~~  
~~3 investigation, finds that the licensing requirements in the~~  
~~4 state of the nonresident are equal to or higher than the~~  
~~5 standards of the department and that such state extends~~  
~~6 reciprocal courtesy to licensed drivers of this Commonwealth.~~

7 § 1508. EXAMINATION OF APPLICANT FOR DRIVER'S LICENSE. <—

8 (A) GENERAL RULE.--EVERY APPLICANT FOR A DRIVER'S LICENSE  
9 SHALL BE EXAMINED FOR THE TYPE OR CLASS OF VEHICLES THAT THE  
10 APPLICANT DESIRES TO DRIVE. THE EXAMINATION SHALL INCLUDE A  
11 PHYSICAL EXAMINATION BY THE APPLICANT'S PHYSICIAN, A SCREENING  
12 TEST OF THE APPLICANT'S EYESIGHT AND A TEST OF THE APPLICANT'S  
13 ABILITY TO READ AND UNDERSTAND OFFICIAL TRAFFIC-CONTROL DEVICES,  
14 KNOWLEDGE OF SAFE DRIVING PRACTICES AND THE TRAFFIC LAWS OF THIS  
15 COMMONWEALTH, AND SHALL INCLUDE AN ACTUAL DEMONSTRATION OF  
16 ABILITY TO EXERCISE ORDINARY AND REASONABLE CONTROL IN THE  
17 OPERATION OF A MOTOR VEHICLE OF THE TYPE OR CLASS OF VEHICLES  
18 FOR WHICH THE APPLICANT DESIRES A LICENSE TO DRIVE. IF THE  
19 DEPARTMENT FINDS IT NECESSARY TO FURTHER DETERMINE AN  
20 APPLICANT'S FITNESS TO OPERATE A MOTOR VEHICLE SAFELY UPON THE  
21 HIGHWAYS THE DEPARTMENT MAY REQUIRE ONE OR MORE OF THE FOLLOWING  
22 TYPES OF EXAMINATIONS:

23 (1) A VISION EXAMINATION BY AN OPTOMETRIST OR  
24 OPHTHALMOLOGIST.

25 (2) [A] AN ADDITIONAL PHYSICAL EXAMINATION.

26 (3) A MENTAL EXAMINATION.

27 (B) ISSUANCE OF LICENSE TO LICENSED NONRESIDENT.--A DRIVER'S  
28 LICENSE MAY BE ISSUED TO A PERSON WHO HAS NOT HAD A LEARNER'S  
29 PERMIT BUT WHO AT THE TIME OF APPLICATION IS OF SUFFICIENT AGE  
30 AND HAS A VALID DRIVER'S LICENSE ISSUED BY ANOTHER STATE UNDER A

1 LAW REQUIRING THE EXAMINATION AND LICENSING OF DRIVERS,  
2 PROVIDING THAT THE APPLICANT DEMONSTRATES KNOWLEDGE AND  
3 UNDERSTANDING OF RULES OF THE ROAD AND OFFICIAL TRAFFIC-CONTROL  
4 DEVICES AND IS VISUALLY, PHYSICALLY AND MENTALLY FIT. ALSO, THE  
5 DEPARTMENT MUST BE SATISFIED THAT THE APPLICANT'S EXPERIENCE IN  
6 DRIVING VEHICLES WHICH MAY BE DRIVEN BY HOLDERS OF THE CLASSES  
7 OF LICENSES SOUGHT BY THE APPLICANT OTHER THAN A CLASS 1 LICENSE  
8 IS SUFFICIENT TO JUSTIFY THE ISSUANCE OF THE LICENSE WITHOUT  
9 FURTHER BEHIND-THE-WHEEL TRAINING.

10 § 1509. Qualifications for [Class 4] SCHOOL BUS DRIVER'S <—  
11 license.

12 (a) [School bus driver requirements] GENERAL RULE.--No <—  
13 person shall be issued a Class 4 license unless the person:

14 (1) has [successfully completed] enrolled in a course of  
15 instruction as provided in subsection (c) AND HAS <—  
16 SUCCESSFULLY COMPLETED SUCH PORTION OF THE COURSE AS THE  
17 DEPARTMENT SHALL REQUIRE;

18 (2) has satisfactorily passed an annual physical  
19 examination [to be] given by [the] a physician [for the  
20 school district by which the person is employed]; and

21 (3) is 18 years of age or older.

22 \* \* \*

23 § 1511. [Carrying and exhibiting] Driver to possess  
24 driver's license. [on demand.]

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

(b) Production to avoid ~~[penalty]~~ ~~prosecution~~.--No person shall be ~~[convicted of]~~ ~~charged with~~ violating this section or section 1501(a) (relating to drivers required to be licensed) if the person produces at the office of the ~~[issuing authority]~~ ~~[or the arresting]~~ ~~investigating~~ officer] within five days [a driver's license valid in this Commonwealth at the time of the arrest.] of the violation:

(1) a driver's license valid in this Commonwealth at the time of the arrest VIOLATION; or

(2) if the driver's license is lost, stolen, destroyed or illegible, a notarized or photostatic copy of an application for a duplicate MADE PRIOR TO THE VIOLATION.

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

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

\* \* \*

§ 1514. Expiration and renewal of drivers' licenses.

(a) General rule.--Every driver's license shall expire in the month of the licensee's birthdate at intervals of not more than four years as may be determined by the department. Every license shall be renewable on or before its expiration upon application, payment of the required fee, and satisfactory completion of any examination required or authorized by this

1 chapter.

2 (b) Examination of applicants for renewal.--The department  
3 may require persons applying for renewal of a driver's license  
4 to take and successfully pass [a physical examination or a  
5 vision examination by an optometrist or ophthalmologist, or both  
6 examinations,] one or more of the examinations AND TESTS <—  
7 authorized under this subchapter if the department has reason to  
8 believe, either based on knowledge of the person or on  
9 statistical inference, that the person may be a traffic safety  
10 hazard. [The department may require the applicant to take and  
11 successfully pass such additional tests as the department may  
12 find reasonably necessary to determine the applicant's  
13 qualification according to the type or general class of license  
14 applied for and such examination may include any or all of the  
15 other tests required or authorized upon original application by  
16 section 1508 (relating to examination of applicant for driver's  
17 license)]

18 (1) A vision examination may be administered by an  
19 optometrist or by an ophthalmologist, or may be administered  
20 at an official examination station.

21 (2) Upon refusal or neglect of the person to submit to  
22 [the] any examination, the [driver's license shall not be  
23 renewed] operating privilege shall be suspended until such  
24 time as the examination is successfully completed.

25 (3) For the purposes of this section, renewal shall  
26 include application for a driver's license after a lapse of  
27 not more than four years.

28 (c) Reexamination requested by court.--The department shall  
29 reexamine any person when requested to do so by a court. Upon  
30 the conclusion of such examination, the department may take any

1 of the actions described in subsection (b) and shall report its  
2 findings and action to the court if such report is requested.

3 (d) Military personnel and dependents.--Notwithstanding  
4 subsection (a), a driver's license held by any person who enters  
5 or is on active service in the armed forces of the United States  
6 or the spouse or dependent child of the member of the armed  
7 forces who resides with such person shall continue in full force  
8 and effect so long as the active service continues and the  
9 person is absent from this Commonwealth, and for a further  
10 period of 45 days following the date of the person's discharge  
11 or separation from active service or return to this  
12 Commonwealth, unless the driver's license is sooner suspended,  
13 cancelled or revoked for cause according to law. A driver's  
14 license which otherwise would have expired under subsection (a)  
15 shall be valid only if the licensee has in immediate possession,  
16 together with the driver's license, papers indicating actual  
17 service outside this Commonwealth, or discharge or separation,  
18 as the case may be, or proof thereof if a spouse or child.

19 (e) Learner's permit upon examination failure.--Any driver  
20 or applicant who fails any driving examination required or  
21 authorized under subsection (b) or (c) may be issued a new <—  
22 SPECIAL learner's permit AUTHORIZING SUCH PERSON TO DRIVE ONLY A <—  
23 MOTOR VEHICLE EQUIPPED WITH DUAL OPERATING CONTROLS OR DEVICES  
24 WHILE BEING ACCOMPANIED BY AN INSTRUCTOR OF AN APPROVED DRIVER  
25 TRAINING PROGRAM. UPON SUCCESSFUL COMPLETION OF AN APPROVED  
26 DRIVER TRAINING PROGRAM, THE DRIVER OR APPLICANT SHALL BE  
27 AFFORDED A SPECIAL EXAMINATION BY SUCH AGENCIES AS THE  
28 DEPARTMENT MAY DIRECT, AND UPON SUCCESSFUL COMPLETION OF SUCH  
29 EXAMINATION THE OPERATING PRIVILEGE SHALL BE RESTORED.

30 § 1515. Notice of change of name or address.

1       (A) GENERAL RULE.--Whenever any person after applying for or <—  
2 receiving a driver's license moves from the address named in the  
3 application or in the driver's license issued or when the name  
4 of a licensee is changed such person shall, within 15 days  
5 thereafter, notify the department in writing of the [old and new  
6 addresses] new address or of such former and new names and of  
7 the number of any license then held by the person.

8       (B) STUDENTS.--A PERSON WHO LIVES AT AN ADDRESS OTHER THAN <—  
9 THE ONE SHOWN ON THEIR DRIVER'S LICENSE FOR THE PURPOSE OF  
10 ATTENDING A COLLEGE OR OTHER SCHOOL SHALL NOT BE REQUIRED TO  
11 NOTIFY THE DEPARTMENT UNDER THIS SECTION UNLESS THE PERSON HAS  
12 REGISTERED TO VOTE AT THE LATTER ADDRESS.

13 § 1517. MEDICAL ADVISORY BOARD. <—

14       (A) MEMBERSHIP.--THERE SHALL BE A MEDICAL ADVISORY BOARD  
15 CONSISTING OF 13 MEMBERS APPOINTED BY THE SECRETARY. THE BOARD  
16 SHALL BE COMPOSED OF AN AUTHORIZED REPRESENTATIVE FROM THE  
17 DEPARTMENT OF TRANSPORTATION, DEPARTMENT OF JUSTICE, GOVERNOR'S  
18 COUNCIL ON DRUG AND ALCOHOL ABUSE, DEPARTMENT OF HEALTH,  
19 PENNSYLVANIA STATE POLICE AND PROFESSIONALS AS FOLLOWS: ONE  
20 NEUROLOGIST, ONE DOCTOR OF CARDIOVASCULAR DISEASE, ONE DOCTOR OF  
21 INTERNAL MEDICINE, ONE GENERAL PRACTITIONER, ONE  
22 OPHTHALMOLOGIST, ONE PSYCHIATRIST, ONE ORTHOPEDIC SURGEON AND  
23 ONE OPTOMETRIST.

24       (B) FORMULATION OF [REGULATIONS] CRITERIA.--THE BOARD SHALL  
25 FORMULATE [RULES AND REGULATIONS] FOR ADOPTION BY THE DEPARTMENT  
26 [ON] PHYSICAL AND MENTAL CRITERIA INCLUDING VISION STANDARDS  
27 RELATING TO THE LICENSING OF DRIVERS UNDER THE PROVISIONS OF  
28 THIS CHAPTER.

29 § 1518. REPORTS ON MENTAL OR PHYSICAL DISABILITIES OR  
30 DISORDERS.

1 (A) DEFINITION OF DISORDERS AND DISABILITIES.--THE MEDICAL  
2 ADVISORY BOARD SHALL DEFINE DISORDERS CHARACTERIZED BY LAPSES OF  
3 CONSCIOUSNESS OR OTHER MENTAL OR PHYSICAL DISABILITIES AFFECTING  
4 THE ABILITY OF A PERSON TO DRIVE SAFELY FOR THE PURPOSE OF THE  
5 REPORTS REQUIRED BY THIS SECTION.

6 (B) REPORTS BY MEDICAL PERSONNEL.--ALL PHYSICIANS AND OTHER  
7 PERSONS AUTHORIZED TO DIAGNOSE OR TREAT DISORDERS AND  
8 DISABILITIES DEFINED BY THE MEDICAL ADVISORY BOARD AT EVERY  
9 MENTAL HOSPITAL, INSTITUTION OR CLINIC OR ALCOHOL OR DRUG  
10 TREATMENT FACILITY SHALL REPORT TO THE DEPARTMENT, IN WRITING,  
11 THE FULL NAME, DATE OF BIRTH AND ADDRESS OF EVERY PERSON OVER 15  
12 YEARS OF AGE DIAGNOSED AS HAVING ANY SPECIFIED DISORDER OR  
13 DISABILITY WITHIN TEN DAYS.

14 (C) RESPONSIBILITY OF INSTITUTION HEADS.--THE PERSON IN  
15 CHARGE OF EVERY MENTAL HOSPITAL, INSTITUTION OR CLINIC[, ] OR  
16 [ANY] ALCOHOL OR DRUG TREATMENT FACILITY, SHALL BE RESPONSIBLE  
17 TO ASSURE THAT REPORTS ARE FILED IN ACCORDANCE WITH SUBSECTION  
18 (B).

19 (D) CONFIDENTIALITY OF REPORTS.--THE REPORTS REQUIRED BY  
20 THIS SECTION SHALL BE CONFIDENTIAL AND SHALL BE USED SOLELY FOR  
21 THE PURPOSE OF DETERMINING THE QUALIFICATIONS OF ANY PERSON TO  
22 DRIVE A MOTOR VEHICLE ON THE HIGHWAYS OF THIS COMMONWEALTH.

23 (E) USE OF REPORT AS EVIDENCE.--NO REPORT FORWARDED UNDER  
24 THE PROVISIONS OF THIS SECTION SHALL BE USED AS EVIDENCE IN ANY  
25 CIVIL OR CRIMINAL TRIAL EXCEPT IN ANY PROCEEDING UNDER SECTION  
26 1519(C) (RELATING TO DETERMINATION OF INCOMPETENCY).

27 (F) IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY.--NO CIVIL OR  
28 CRIMINAL ACTION MAY BE BROUGHT AGAINST ANY PERSON OR AGENCY FOR  
29 PROVIDING THE INFORMATION REQUIRED UNDER THIS SYSTEM.

30 § 1519. Determination of incompetency.

1 (a) General rule.--The department, having cause to believe  
2 that a licensed driver or applicant may not be physically or  
3 mentally qualified to be licensed, may [obtain the advice of a  
4 physician who shall cause an examination to be made or who shall  
5 designate any other qualified physician. The licensed driver or  
6 applicant may cause a written report to be forwarded to the  
7 department by a physician of the driver's or applicant's  
8 choice.] require an examination to be given by a qualified  
9 physician of the driver's or applicant's choice and such  
10 additional EXAMINATIONS AND tests as the department may find <—  
11 necessary. Vision qualifications shall be determined by an  
12 optometrist or ophthalmologist. [The department shall appoint  
13 one or more qualified persons who shall consider all medical  
14 reports and testimony and determine the competency of the driver  
15 or the applicant to drive.]

16 (b) Review of medical reports DATA.--The department shall <—  
17 appoint one or more qualified persons who shall consider all  
18 medical reports and testimony.

19 (c) Supplemental driver's test.--The department may also  
20 require a supplemental driver's test in order to determine the  
21 driving competency of the applicant or driver.

22 (d) Suspension upon refusal.--The department shall suspend  
23 the operating privilege of any driver or applicant who refuses  
24 to comply with the requirements of this section until such time  
25 as the driver or applicant does comply.

26 [(b)] (e) Confidentiality of reports and evidence.--Reports  
27 received by the department for the purpose of assisting the  
28 department in determining whether a person is qualified to be  
29 licensed are for the confidential use of the department and may  
30 not be divulged to any person or used as evidence in any trial



1 except that the reports may be admitted in proceedings under  
2 ~~subsection (c)]~~ ~~(f)~~ SECTION 1550 (RELATING TO JUDICIAL REVIEW) <—  
3 and any physician or optometrist conducting an examination  
4 pursuant to subsection (a) may be compelled to testify  
5 concerning observations and findings in such proceedings. The  
6 party calling the physician or optometrist as an expert witness  
7 shall be obliged to pay the reasonable fee for such testimony.  
8 [(c) Recall] (f) Suspension of operating privilege.--The  
9 department shall [recall] suspend the operating privilege of any  
10 person whose incompetency has been established under the  
11 provisions of this chapter. The [recall] suspension shall be for  
12 an indefinite period until satisfactory evidence is presented to  
13 the department in accordance with regulations to establish that  
14 such person is competent to drive a motor vehicle. [Any person  
15 aggrieved by recall of the operating privilege may appeal to the <—  
16 ~~court of common pleas~~ in the manner provided in section ~~1551~~ <—  
17 1550 (relating to judicial review).]  
18 § 1532. [Revocation or suspension] Suspension or  
19 revocation of operating privilege.  
20 (a) [Revocation] One-year suspension.--The department shall  
21 [revoke] suspend the operating privilege of any [driver] ~~of a~~ <—  
22 ~~motor vehicle~~ PERSON for one year upon receiving a certified <—  
23 record of the [driver's] PERSON'S conviction of any of the <—  
24 following [offenses]:  
25 (1) Any felony in the commission of which [a court] the  
26 judge determines that a motor vehicle was essentially  
27 involved.  
28 (2) Any subsequent ~~(violation of)~~ ~~conviction under~~ <—  
29 section 3731 (relating to driving under influence of alcohol  
30 or controlled substance) within three years of a prior

1 violation.

2 (3) Any ~~[violation of]~~ ~~conviction under~~ the following <—  
3 provisions:

4 Section 3732 (relating to homicide by vehicle).

5 Section 3742 (relating to accidents involving death  
6 or personal injury).

7 Section 7102(b) (relating to removal or falsification  
8 of identification number).

9 Section 7103(b) (relating to dealing in vehicles with  
10 removed or falsified numbers).

11 Section 7111 (relating to dealing in titles and  
12 plates for stolen vehicles).

13 Section 7121 (relating to false application for  
14 certificate of title or registration).

15 Section 7122 (relating to altered, forged or  
16 counterfeit documents and plates).

17 (b) [Suspension] Six-month suspension.--

18 (1) The department shall suspend the operating privilege  
19 of any [driver] ~~of a motor vehicle~~ PERSON for six months upon <—

20 receiving a certified record of the [driver's] PERSON'S <—  
21 conviction of any [offense under] of the following

22 [provisions]:

23 Section 3367 (relating to racing on highways).

24 Section 3731 (relating to driving under influence of  
25 alcohol or controlled substance).

26 Section 3733 (relating to fleeing or attempting to  
27 elude police officer).

28 Section 3734 (relating to driving without lights to  
29 avoid identification or arrest).

30 Section 3743 (relating to accidents involving damage

1 to attended vehicle or property).

2 Any misdemeanor in the commission of which the judge  
3 determines that a motor vehicle was essentially involved  
4 except that no person shall be suspended for violating a  
5 regulation of the Hazardous Substances Transportation  
6 Board unless the board recommends the suspension.

7 (2) The department shall suspend the operating privilege  
8 of any [driver] ~~of a motor vehicle~~ PERSON for six months upon <—  
9 receiving a certified record of the [driver's] PERSON'S <—  
10 conviction of a subsequent offense under [the following  
11 provisions:

12 Section 1501(a) (relating to drivers required to be  
13 licensed).

14 Section 1543 (relating to driving while operating  
15 privilege is suspended or revoked)] section 1501(a)  
16 (relating to drivers required to be licensed).

17 [(3) This subsection does not effect an additional  
18 period of revocation of the operating privileges of a driver  
19 who receives an additional period of revocation for a second  
20 or subsequent violation of section 1543.]

21 ~~(c) Court ordered suspensions and revocations~~ ORDER OF <—  
22 COMMISSION OR COURT.--The department shall suspend or revoke the  
23 operating privilege of any driver upon order of any court or <—  
24 commission duly authorized under the laws of this Commonwealth  
25 and empowered by such laws to make such orders OR UPON ORDER OF <—  
26 ANY COURT.

27 (D) EXCEPTIONS.--THIS SECTION DOES NOT APPLY TO A PERSON WHO  
28 WAS OPERATING A PEDALCYCLE OR AN ANIMAL-DRAWN VEHICLE.

29 § 1533. Suspension of operating privilege for failure to  
30 respond to [citation] process.

1       ~~(a) General rule~~ VIOLATIONS WITHIN COMMONWEALTH.--The

<—

2       department shall suspend the operating privilege of any person  
3       who has failed to respond to a citation or summons to appear  
4       before a court of competent jurisdiction of this Commonwealth  
5       [or of any state] for any violation of this title, other than  
6       parking, or who has failed to pay any fine or costs imposed by  
7       such court, upon being duly notified in accordance with ~~the~~  
8       ~~Pennsylvania Rules of [Civil and] Criminal Procedure~~ GENERAL  
9       RULES.

<—

<—

10       (B) VIOLATIONS OUTSIDE COMMONWEALTH.--THE DEPARTMENT SHALL

<—

11       SUSPEND THE OPERATING PRIVILEGE OF ANY PERSON WHO HAS FAILED TO  
12       RESPOND TO A CITATION, SUMMONS OR SIMILAR WRIT TO APPEAR BEFORE  
13       A COURT OF COMPETENT JURISDICTION OF ANY STATE WHICH HAS ENTERED  
14       INTO AN ENFORCEMENT AGREEMENT WITH THE DEPARTMENT AS AUTHORIZED  
15       IN SECTION 6146 (RELATING TO ENFORCEMENT AGREEMENTS) FOR ANY  
16       VIOLATION OF THE MOTOR VEHICLE LAWS OF SUCH STATE, OTHER THAN  
17       PARKING, OR WHO HAS FAILED TO PAY ANY FINE OR COSTS IMPOSED BY  
18       SUCH COURT, UPON BEING DULY NOTIFIED IN ACCORDANCE WITH THE LAWS  
19       OF THE JURISDICTION IN WHICH THE VIOLATION OCCURRED.

20       ~~(b) Notification~~ (C) RESPONDING TO SUSPENSION NOTICE.--

<—

21       [There shall be] Before any person is suspended under this  
22       section they shall have 15 days to respond to [such] the  
23       notification [before suspension is imposed].

24       ~~(c)~~ (D) Period of suspension.--The suspension shall [be for

<—

25       an indefinite period] continue until such person shall respond  
26       to ~~any~~ THE citation, summons or writ, AS THE CASE MAY BE, and  
27       pay any fines and penalties imposed. ~~Such suspension shall be in~~  
28       ~~addition to the requirement~~

<—

<—

29       (E) REMEDY CUMULATIVE.--[SUCH] A SUSPENSION UNDER THIS

<—

30       SECTION SHALL BE IN ADDITION TO THE REQUIREMENT of withholding

1 renewal or reinstatement of a violator's driver's license as  
2 prescribed in section [1503(c)] 1503(a) (relating to persons  
3 ineligible for licensing).

4 § 1534. [Notice of acceptance of ~~Accelerative~~] Acceptance <—  
5 of Accelerated Rehabilitative Disposition.

6 ~~{If a person} A driver of a motor vehicle in this~~ <—  
7 ~~Commonwealth is deemed to have agreed that if he~~ is arrested for  
8 any offense enumerated in section 1532 (relating to [revocation <—  
9 or] suspension OR REVOCATION of operating privilege) {and is <—  
10 offered and}, ~~he~~ accepts ~~{Accelerative}~~ Accelerated <—  
11 Rehabilitative Disposition under ~~the Pennsylvania Rules of~~ <—  
12 ~~Criminal Procedure~~ {GENERAL RULES, the}. ~~The~~ court shall <—  
13 promptly notify the department. ~~of the arrest and disposition of~~ <—  
14 ~~the case.~~

15 § 1535. Schedule of convictions and points.

16 (a) General rule.--A point system [for driver education and <—  
17 control] is hereby established which is related to other <—  
18 provisions for use, suspension and revocation of the operating  
19 privilege as specified under this title. Every driver licensed  
20 in this Commonwealth who is convicted of any of the following  
21 offenses shall be assessed points as of the date of violation in  
22 accordance with the following schedule:

23	Section Number	Offense	Points	
24	<u>1504</u>	<u>DRIVING WITHOUT PROPER CLASS</u>		<—
25		<u>OF LICENSE.</u>	<u>2</u>	
26	1512	Violation of restriction on		
27		driver's license.	2	
28	1571	[Violations] <u>VIOLATION</u> concerning		<—
29		[licenses] <u>LICENSE.</u>	3	<—
30	3102	Failure to obey policeman or		

1		authorized person.	2	
2	<u>3111(a)</u>	<u>Disobedience to traffic-control</u>		
3		<u>devices</u> <u>DEVICE.</u>	<u>3</u>	<—
4	3112(a)(3)(i)	Failure to stop for a red light.	3	
5	3114(a)(1)	Failure to stop for a flashing		
6		red light.	3	
7	3302	Failure to yield half of roadway		
8		to oncoming vehicle.	3	
9	3303	Improper passing.	3	
10	3304	Other improper passing.	3	
11	3305	Other improper passing.	3	
12	3306(a)(1)	Other improper passing.	4	
13	3306(a)(2)	Other improper passing.	3	
14	3306(a)(3)	Other improper passing.	3	
15	3307	Other improper passing.	3	
16	3310	Following too closely.	3	
17	3321	Failure to yield to driver on the		
18		right at intersection.	3	
19	3322	Failure to yield to oncoming		
20		driver when making left turn.	3	
21	3323(b)	Failure to stop for stop [signs]		<—
22		<u>SIGN.</u>	3	<—
23	<u>3323(C)</u>	<u>FAILURE TO YIELD AT YIELD SIGN.</u>	<u>3</u>	<—
24	3324	Failure to yield when entering or		
25		crossing roadway between inter-		
26		sections.	3	
27	3332	Improper turning around.	3	
28	3341	Failure to stop for flashing red		
29		lights or gate at railroad		
30		crossing.	3	

1	3344	Failure to stop when entering from		
2		alley, driveway or building.	3	
3	3345(a)	Failure to stop for school bus		
4		with flashing red lights.	5	
5		(and 30 days suspension)		
6	3361	Driving too fast for conditions.	2	
7	3362	Exceeding maximum speed.--Over Limit:		
8			6-10	2
9			11-15	3
10			16-25	4
11			26-30	5
12			31-over	5
13		(and [departmental		<—
14		hearing and sanctions		
15		provided under section		
16		1538(d)]		<—
17		<u>15 DAYS SUSPENSION)</u>		<—
18	3365(b)	Exceeding special speed limit		
19		in school [zones]		<—
20		<u>ZONE</u> .	3	<—
21	3365(c)	Exceeding special speed limit		
22		for trucks on [downgrades]		<—
23		<u>DOWNGRADE</u> .	3	<—
24	3542(a)	Failure to yield to [pedestrians]		<—
25		<u>PEDESTRIAN</u> in crosswalk.	2	<—
26	3547	Failure to yield to pedestrian on		
27		sidewalk.	3	
28	3549(a)	Failure to yield to blind		
29		pedestrian.	3	
30	3702	Improper backing.	3	

1           3714                           Reckless driving.                           3  
2           3745                           Leaving scene of accident  
3   involving property damage only.   4

4           \* \* \*

<—

5           (B)   MULTIPLE OFFENSE FROM SAME ACT.--IF A DRIVER IS                           <—  
6   CONVICTED OF TWO OR MORE OFFENSES AS A RESULT OF THE SAME ACT,  
7   POINTS SHALL BE ASSESSED ONLY FOR THE OFFENSE FOR WHICH THE  
8   GREATEST NUMBER OF POINTS MAY BE ASSESSED.

9           (C)   NO POINTS AFTER SIX MONTHS.--THE DEPARTMENT SHALL ASSIGN  
10   POINTS TO THE RECORD OF ANY PERSON WITHIN SIX MONTHS FROM THE  
11   DATE OF A CONVICTION. ANY POINTS ASSIGNED AFTER SUCH SIX-MONTH  
12   PERIOD SHALL BE NULL AND VOID.

13          (D)   EXCEPTIONS.--THIS SECTION DOES NOT APPLY TO A PERSON WHO  
14   WAS OPERATING A PEDALCYCLE OR AN ANIMAL-DRAWN VEHICLE.

15   § 1537.   REMOVAL OF POINTS.

16          (A)   GENERAL RULE.--POINTS RECORDED AGAINST ANY PERSON SHALL  
17   BE REMOVED AT THE RATE OF THREE POINTS FOR EACH 12 CONSECUTIVE  
18   MONTHS IN WHICH SUCH PERSON [HAS NOT COMMITTED] IS NOT UNDER  
19   SUSPENSION OR REVOCATION AND DOES NOT COMMIT ANY VIOLATION WHICH  
20   RESULTS IN THE ASSIGNMENT OF POINTS OR IN SUSPENSION OR  
21   REVOCATION UNDER THIS CHAPTER. [REMOVAL OF POINTS IS GOVERNED BY  
22   THE DATE OF VIOLATION.]

23          (B)   SUBSEQUENT ACCUMULATION OF POINTS.--WHEN A DRIVER'S  
24   RECORD IS REDUCED TO ZERO POINTS AND IS MAINTAINED AT ZERO  
25   POINTS FOR 12 CONSECUTIVE MONTHS, ANY ACCUMULATION OF POINTS  
26   THEREAFTER SHALL BE REGARDED AS AN INITIAL ACCUMULATION OF  
27   POINTS.

28          (C)   EFFECT ON SUSPENSION.--POINTS REMOVED UNDER THIS SECTION  
29   AFTER THE ACCUMULATION OF 11 OR MORE POINTS SHALL NOT OPERATE TO  
30   PREVENT OR REDUCE A SUSPENSION UNDER SECTION 1539 (RELATING TO



1 SUSPENSION OF OPERATING PRIVILEGE ON ACCUMULATION OF POINTS).

2 ~~§ 1538. School, examination or hearing on accumulation of~~ <—  
3 ~~points or excessive speeding.~~

4 \* \* \*

5 ~~(b) Second accumulation of six points.—~~

6 ~~(1) When any person's record has been reduced below six~~  
7 ~~points and for the second time shows as many as six points,~~  
8 ~~the department shall require the person to attend a~~  
9 ~~departmental hearing. The hearing examiner may recommend one~~  
10 ~~or more of the following:~~

11 ~~(i) That the person be required to attend a driver~~  
12 ~~improvement school.~~

13 ~~(ii) That the person undergo [an] a special~~  
14 ~~examination [as provided for in section 1508 (relating to~~  
15 ~~examination of applicant for driver's license)].~~

16 ~~(iii) That the person's driver's license be~~  
17 ~~suspended for a period not exceeding 15 days.~~

18 ~~(2) The department may effect or modify the~~  
19 ~~recommendations of the hearing examiner but may not impose~~  
20 ~~any sanction not recommended by the hearing examiner.~~

21 ~~(3) Upon completion of the sanction or sanctions imposed~~  
22 ~~by the department, two points shall be removed from the~~  
23 ~~person's record.~~

24 ~~(4) Failure to attend the hearing or to attend and~~  
25 ~~satisfactorily complete the requirements of a driver~~  
26 ~~improvement school shall result in the suspension of such~~  
27 ~~person's operating privilege for 60 days. Failure to pass an~~  
28 ~~examination shall result in the suspension of such person's~~  
29 ~~operating privilege until the examination has been~~  
30 ~~satisfactorily completed.~~

1       \* \* \*

2       ~~(d) Conviction for excessive speeding.~~

3           ~~(1) When any person is convicted of driving 31 miles per~~  
4 ~~hour or more in excess of the speed limit, the department~~  
5 ~~shall require the person to attend a departmental hearing.~~  
6 ~~The hearing examiner may recommend one or more of the~~  
7 ~~following:~~

8           ~~(i) That the person be required to attend a driver~~  
9 ~~improvement school.~~

10          ~~(ii) That the person undergo an a special~~  
11 ~~examination as provided for in section 1508 (relating to~~  
12 ~~examination of applicant for driver's license).~~

13          ~~(iii) That the person have his driver's license~~  
14 ~~suspended for a period not exceeding 15 days.~~

15          ~~(2) The department shall effect at least one of the~~  
16 ~~sanctions but may not increase any suspension beyond 15 days.~~

17          ~~(3) Failure to attend the hearing or to attend and~~  
18 ~~satisfactorily complete the requirements of a driver~~  
19 ~~improvement school shall result in the suspension of such~~  
20 ~~person's operating privilege for 60 days. Failure to pass an~~  
21 ~~examination shall result in the suspension of such person's~~  
22 ~~operating privilege until the examination has been~~  
23 ~~satisfactorily completed.~~

24          ~~(c) Payment of fees. Any person required to attend a driver~~  
25 ~~improvement school or departmental hearing or to undergo a~~  
26 ~~special examination shall pay the applicable fee.~~

27       [§ 1538. SCHOOL, EXAMINATION OR HEARING ON ACCUMULATION  
28               OF POINTS OR EXCESSIVE SPEEDING.

29       (A) INITIAL ACCUMULATION OF SIX POINTS.--WHEN ANY PERSON'S  
30 RECORD FOR THE FIRST TIME SHOWS AS MANY AS SIX POINTS, THE

1 DEPARTMENT SHALL REQUIRE THE PERSON TO ATTEND AN APPROVED DRIVER  
2 IMPROVEMENT SCHOOL OR UNDERGO A SPECIAL EXAMINATION AND SHALL SO  
3 NOTIFY THE PERSON IN WRITING. UPON SATISFACTORY ATTENDANCE AND  
4 COMPLETION OF THE COURSE OR UPON PASSING THE SPECIAL  
5 EXAMINATION, TWO POINTS SHALL BE REMOVED FROM THE PERSON'S  
6 RECORD. FAILURE TO ATTEND AND SATISFACTORILY COMPLETE THE  
7 REQUIREMENTS OF DRIVER IMPROVEMENT SCHOOL SHALL RESULT IN THE  
8 SUSPENSION OF SUCH PERSON'S OPERATING PRIVILEGE FOR 60 DAYS.  
9 FAILURE TO PASS THE EXAMINATION SHALL RESULT IN THE SUSPENSION  
10 OF THE OPERATING PRIVILEGE UNTIL THE EXAMINATION HAS BEEN  
11 SATISFACTORILY COMPLETED.

12 (B) SECOND ACCUMULATION OF SIX POINTS.--

13 (1) WHEN ANY PERSON'S RECORD HAS BEEN REDUCED BELOW SIX  
14 POINTS AND FOR THE SECOND TIME SHOWS AS MANY AS SIX POINTS,  
15 THE DEPARTMENT SHALL REQUIRE THE PERSON TO ATTEND A  
16 DEPARTMENTAL HEARING. THE HEARING EXAMINER MAY RECOMMEND ONE  
17 OR MORE OF THE FOLLOWING:

18 (I) THAT THE PERSON BE REQUIRED TO ATTEND A DRIVER  
19 IMPROVEMENT SCHOOL.

20 (II) THAT THE PERSON UNDERGO AN EXAMINATION AS  
21 PROVIDED FOR IN SECTION 1508 (RELATING TO EXAMINATION OF  
22 APPLICANT FOR DRIVER'S LICENSE).

23 (III) THAT THE PERSON'S DRIVER'S LICENSE BE  
24 SUSPENDED FOR A PERIOD NOT EXCEEDING 15 DAYS.

25 (2) THE DEPARTMENT MAY EFFECT OR MODIFY THE  
26 RECOMMENDATIONS OF THE HEARING EXAMINER BUT MAY NOT IMPOSE  
27 ANY SANCTION NOT RECOMMENDED BY THE HEARING EXAMINER.

28 (3) UPON COMPLETION OF THE SANCTION OR SANCTIONS IMPOSED  
29 BY THE DEPARTMENT, TWO POINTS SHALL BE REMOVED FROM THE  
30 PERSON'S RECORD.

1           (4) FAILURE TO ATTEND THE HEARING OR TO ATTEND AND  
2           SATISFACTORILY COMPLETE THE REQUIREMENTS OF A DRIVER  
3           IMPROVEMENT SCHOOL SHALL RESULT IN THE SUSPENSION OF SUCH  
4           PERSON'S OPERATING PRIVILEGE FOR 60 DAYS. FAILURE TO PASS AN  
5           EXAMINATION SHALL RESULT IN THE SUSPENSION OF SUCH PERSON'S  
6           OPERATING PRIVILEGE UNTIL THE EXAMINATION HAS BEEN  
7           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 SHALL REQUIRE THE DRIVER TO ATTEND A DEPARTMENTAL  
12          HEARING TO DETERMINE WHETHER THE PERSON'S OPERATING PRIVILEGE  
13          SHOULD BE SUSPENDED FOR A PERIOD NOT TO EXCEED 30 DAYS. FAILURE  
14          TO ATTEND THE HEARING OR TO COMPLY WITH THE REQUIREMENTS OF THE  
15          FINDINGS OF THE DEPARTMENT SHALL RESULT IN THE SUSPENSION OF THE  
16          OPERATING PRIVILEGE UNTIL THE PERSON HAS COMPLIED.

17          (D) CONVICTION FOR EXCESSIVE SPEEDING.--

18                 (1) WHEN ANY PERSON IS CONVICTED OF DRIVING 31 MILES PER  
19                 HOUR OR MORE IN EXCESS OF THE SPEED LIMIT, THE DEPARTMENT  
20                 SHALL REQUIRE THE PERSON TO ATTEND A DEPARTMENTAL HEARING.  
21                 THE HEARING EXAMINER MAY RECOMMEND ONE OR MORE OF THE  
22                 FOLLOWING:

23                         (I) THAT THE PERSON BE REQUIRED TO ATTEND A DRIVER  
24                         IMPROVEMENT SCHOOL.

25                         (II) THAT THE PERSON UNDERGO AN EXAMINATION AS  
26                         PROVIDED FOR IN SECTION 1508.

27                         (III) THAT THE PERSON HAVE HIS DRIVER'S LICENSE  
28                         SUSPENDED FOR A PERIOD NOT EXCEEDING 15 DAYS.

29                 (2) THE DEPARTMENT SHALL EFFECT AT LEAST ONE OF THE  
30                 SANCTIONS BUT MAY NOT INCREASE ANY SUSPENSION BEYOND 15 DAYS.

(3) FAILURE TO ATTEND THE HEARING OR TO ATTEND AND  
SATISFACTORILY COMPLETE THE REQUIREMENTS OF A DRIVER  
IMPROVEMENT SCHOOL SHALL RESULT IN THE SUSPENSION OF SUCH  
PERSON'S OPERATING PRIVILEGE FOR 60 DAYS. FAILURE TO PASS AN  
EXAMINATION SHALL RESULT IN THE SUSPENSION OF SUCH PERSON'S  
OPERATING PRIVILEGE UNTIL THE EXAMINATION HAS BEEN  
SATISFACTORILY COMPLETED.]

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

\* \* \*

(c) Determination of subsequent suspensions.--Every  
suspension under this section and [revocation] EVERY SUSPENSION  
under [any provision of this subchapter] section 1532 (relating  
to suspension or revocation of operating privilege) WITHIN FIVE  
YEARS shall be counted in determining whether a suspension is a  
second, third or subsequent suspension. {Acceptance of  
[Accelerative] ~~In accordance with section 1534 (relating to~~  
~~acceptance of Accelerated Rehabilitative Disposition),~~  
~~acceptance of Accelerated~~ Rehabilitative Disposition for an  
offense enumerated in section 1532 [(relating to revocation or  
suspension of operating privilege)] shall be considered a  
suspension in making such determination.

\* \* \*

§ 1540. Surrender of license.

(a) [Conviction of offense] SURRENDER TO COURT.--Upon a  
conviction by a court of record for any offense which calls for  
mandatory [revocation] suspension in accordance with section  
1532 (relating to [revocation or] suspension or revocation of  
operating privilege), the court or the district attorney shall  
require the surrender of any driver's license then held by the

defendant and shall forward the driver's license together with a  
record of the conviction to the department. THE SUSPENSION OR  
REVOCATION SHALL BE EFFECTIVE UPON A DATE DETERMINED BY THE  
COURT OR DISTRICT ATTORNEY, OR UPON THE DATE OF SURRENDER OF THE  
LICENSE, WHICHEVER SHALL FIRST OCCUR.

(b) [Suspension of operating privilege] SURRENDER TO  
DEPARTMENT.--Upon the suspension OR REVOCATION of the operating  
privilege of any person by the department, the department shall  
[forthwith] notify the person in writing to surrender [his]  
THEIR driver's license to the department for the term of  
suspension OR REVOCATION. THE SUSPENSION OR REVOCATION SHALL BE  
EFFECTIVE UPON A DATE DETERMINED BY THE DEPARTMENT OR UPON THE  
DATE OF SURRENDER OF THE LICENSE TO THE DEPARTMENT, WHICHEVER  
SHALL FIRST OCCUR, EXCEPT THAT THE LICENSE SHALL NOT BE  
SURRENDERED TO THE DEPARTMENT PRIOR TO THE NOTICE PROVIDED IN  
THIS PARAGRAPH.

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

(a) Commencement of period.--[The] FOR THE PURPOSE OF  
DETERMINING THE LENGTH OF A REVOCATION OR SUSPENSION, CREDIT  
TOWARD THE period of revocation or suspension of the operating  
privilege shall commence on the date on which the driver's  
license [was] ~~is~~ surrendered to and] IS received by the court or  
~~on a date determined by~~ the department, as the case may be,  
~~except that if the driver's license is surrendered to the~~  
~~department prior to the date determined by the department the~~  
~~revocation or suspension shall commence on the date surrendered.~~

The period of revocation or suspension of a nonresident licensed  
driver or an unlicensed driver shall commence [on the date of  
conviction, or in the case of a revocation or suspension without

1 a conviction, in accordance with its regulations] on a date  
2 determined by the department. The department may, upon request  
3 of the person whose license is suspended, delay the commencement  
4 of the period of suspension for a period not exceeding six  
5 months whenever the department determines that failure to grant  
6 the extension will result in hardship to the person whose  
7 license has been suspended.

8 \* \* \*

9 (c) Restoration of revoked operating privilege.--Any person  
10 whose operating privilege has been revoked pursuant to section  
11 1532(c) (relating to suspension or revocation of operating  
12 privilege) or section 1542 (relating to revocation of habitual  
13 offender's license) is not entitled to automatic restoration of  
14 the operating privilege. Such person may apply for a license if  
15 permitted under the provisions of this chapter and shall be  
16 issued a learner's permit under section 1505 (relating to  
17 learners' permits) upon expiration of the revocation.

18 ~~(d) Revocation under prior law. The department shall~~ <—  
19 ~~immediately review the files of the department relating to the~~  
20 ~~revocation of drivers' licenses for violations of the former~~  
21 ~~provisions of section 1037, act of April 29, 1959 (P.L.58,~~  
22 ~~No.32), known as "The Vehicle Code," and shall notify each~~  
23 ~~individual whose license was revoked that the period of~~  
24 ~~revocation shall be for a period of six months only and that~~  
25 ~~such person, upon receipt of the notification, shall be entitled~~  
26 ~~to reapply for a new driver's license.~~

27 § 1542. Revocation of habitual offender's license.

28 \* \* \*

29 (b) Offenses enumerated.--Three convictions arising from  
30 separate acts of any one or more of the following offenses

1 committed either singularly or in combination by any person  
2 shall result in such person being designated as a habitual  
3 offender:

4 (1) Any offense set forth in section 1532(a) or (b)  
5 (relating to [revocation or] suspension or revocation of  
6 operating privilege).

7 (2) Operation following suspension of registration as  
8 defined in section 1371 (relating to operation following  
9 suspension of registration).

10 (3) Making use of or operating any vehicle without the  
11 knowledge or consent of the owner or custodian thereof.

12 (4) [Utilizing a vehicle in the unlawful transportation <—  
13 or unlawful sale of alcohol or any controlled substance.] ANY <—  
14 MISDEMEANOR IN THE COMMISSION OF WHICH A COURT DETERMINES  
15 THAT A VEHICLE WAS ESSENTIALLY INVOLVED.

16 (5) Any felony in the commission of which a court  
17 determines that a vehicle was essentially involved.

18 (6) Driving under suspension or revocation as defined in  
19 section 1543 (relating to driving while operating privilege  
20 is suspended or revoked).

21 (c) [Accelerative] Accelerated Rehabilitative Disposition as  
22 [an offense] CONVICTION--[Acceptance of [Accelerative] in <—  
23 accordance with section 1534 (relating to acceptance of  
24 Accelerated Rehabilitative Disposition), acceptance of  
25 Accelerated Rehabilitative Disposition for any offense  
26 enumerated in subsection (b) shall [be considered an offense] <—  
27 CONSTITUTE A CONVICTION for the purposes of this section. <—

28 \* \* \*

29 § 1543. Driving while operating privilege is suspended or  
30 revoked.



1 (a) Offense defined.--Any person who drives a motor vehicle  
2 on any highway of this Commonwealth at a time when the operating  
3 privilege is suspended or revoked [or recalled] is guilty of a  
4 summary offense and shall, upon conviction, be sentenced to pay  
5 a fine of \$200.

6 (b) [Extending existing suspension] SUSPENSION or revocation <—  
7 OF OPERATING PRIVILEGE.-- <—

8 (1) The department, upon receiving a certified record of  
9 the conviction of any person under this section upon a charge  
10 of driving a vehicle while the operating privilege was  
11 suspended for six months or less, shall [revoke] suspend such  
12 privilege for an additional period of six months.

13 (2) If the conviction was upon a charge of driving while  
14 the operating privilege was suspended for more than six  
15 months, the department shall suspend such privilege for an  
16 additional period of one year.

17 (3) If the conviction was upon a charge of driving while  
18 the operating privilege was revoked, the department shall  
19 revoke the operating privilege for an additional period of  
20 [one year] two years.

21 § 1544. ADDITIONAL PERIOD OF REVOCATION OR SUSPENSION. <—

22 (A) ADDITIONAL POINT ACCUMULATION.--WHEN ANY PERSON'S RECORD  
23 SHOWS AN ACCUMULATION OF ADDITIONAL POINTS DURING A PERIOD OF  
24 SUSPENSION [OR REVOCATION] PURSUANT TO SECTION 1539 (RELATING TO  
25 SUSPENSION OF OPERATING PRIVILEGE ON ACCUMULATION OF POINTS),  
26 THE DEPARTMENT SHALL WHEN PRACTICABLE EXTEND THE EXISTING PERIOD  
27 OF SUSPENSION [OR REVOCATION AT THE RATE OF FIVE DAYS FOR EACH  
28 ADDITIONAL POINT] IN ACCORDANCE WITH SECTION 1539(B) AND THE  
29 PERSON SHALL BE SO NOTIFIED IN WRITING.

30 \* \* \*

1 § 1545. Restoration of operating privilege.

2 Upon the restoration of any person's operating privilege  
3 which has been suspended [or revoked pursuant to this  
4 subchapter,] pursuant to section 1539 (relating to suspension of  
5 operating privilege on accumulation of points), such person's  
6 record shall show five points, except that any additional points  
7 assessed against the person since the date of the last violation  
8 resulting in the suspension [or revocation] shall be added to  
9 such five points unless the person has served an additional  
10 period of suspension [or revocation] pursuant to section 1544(a)  
11 (relating to additional period of revocation or suspension).

12 § 1547. Chemical test to determine amount of alcohol.

13 (a) General rule.--[Any person who operates] Every driver of  
14 a motor vehicle in this Commonwealth shall be deemed to have  
15 given consent to a chemical test of breath or blood for the  
16 purpose of determining the alcoholic content of blood if a  
17 police officer shall have reasonable grounds to believe the  
18 person to have been driving a motor vehicle while under the  
19 influence of alcohol ~~to a degree which rendered the person~~ <—  
20 ~~incapable of safe driving.~~ [The] A BREATH test shall be <—  
21 administered [by qualified personnel and] with equipment <—  
22 approved by the [department. Qualified personnel means] NATIONAL <—  
23 HIGHWAY SAFETY ADMINISTRATION BY a physician or a technician  
24 acting under [the] A physician's direction or a police officer <—  
25 who has fulfilled the training requirements in the use of such  
26 equipment in a training program approved by the department. A <—  
27 BLOOD TEST SHALL BE ADMINISTERED WITH EQUIPMENT APPROVED BY THE  
28 DEPARTMENT OF HEALTH BY A PHYSICIAN OR A TECHNICIAN ACTING UNDER  
29 A PHYSICIAN'S DIRECTION.

30 (b) Suspension for refusal.--

1 (1) If any person placed under arrest for driving under  
2 the influence of alcohol is requested to submit to a chemical  
3 test and refuses to do so, the test shall not be given but  
4 upon notice by the police officer, the department shall:

5 (i) suspend the operating privilege of the person  
6 for a period of six months; or

7 (ii) [revoke] suspend the operating privilege of the  
8 person for a period of one year for a second or  
9 subsequent refusal within a period of three years.

10 (2) It shall be the duty of the police officer to inform  
11 the person that the person's operating privilege will be  
12 suspended [or revoked] upon refusal to submit to a chemical  
13 test.

14 (3) Any person whose operating privilege is suspended  
15 under the provisions of this section shall have the same  
16 right of appeal as provided for in cases of suspension [or  
17 revocation] for other reasons.

18 \* \* \*

19 (C) TEST RESULTS OR REFUSAL ADMISSIBLE IN EVIDENCE.--IN ANY <—  
20 SUMMARY PROCEEDING OR CRIMINAL PROCEEDING IN WHICH THE DEFENDANT <—  
21 IS CHARGED WITH DRIVING A MOTOR VEHICLE WHILE UNDER THE  
22 INFLUENCE OF ALCOHOL, THE AMOUNT OF ALCOHOL IN THE DEFENDANT'S  
23 BLOOD, AS SHOWN BY A CHEMICAL ANALYSIS OF HIS BREATH OR BLOOD[,  
24 WHICH ANALYSIS WAS CONDUCTED WITH EQUIPMENT OF A TYPE APPROVED  
25 BY THE DEPARTMENT OF HEALTH AND OPERATED BY QUALIFIED  
26 PERSONNEL], ADMINISTERED AS PROVIDED IN SUBSECTION (A), SHALL BE  
27 ADMISSIBLE IN EVIDENCE. THE REFUSAL TO SUBMIT TO A CHEMICAL TEST  
28 MAY BE ADMITTED INTO EVIDENCE AS A FACTOR TO BE CONSIDERED IN  
29 DETERMINING INNOCENCE OR GUILT.

30 (d) Presumptions from amount of alcohol.--If chemical

1 analysis of a person's breath or blood shows:

2 (1) That the amount of alcohol by weight in the blood of  
3 the person tested is 0.05% or less, it shall be presumed that  
4 the person tested was not under influence of alcohol to a  
5 degree which renders the person incapable of safe driving and  
6 the person shall not be charged with any violation under  
7 section 3731(a)(1) (relating to driving under influence of  
8 alcohol or controlled substance), or if the person was so  
9 charged prior to the test, the charge shall be void ab  
10 initio.

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

20 (3) That the amount of alcohol by weight in the blood of  
21 the person tested is 0.10% or more, it shall be presumed that  
22 the defendant was under the influence of alcohol to a degree  
23 which renders the person incapable of safe driving.

24 \* \* \*

25 (K) TRANSPORTING TO HOSPITAL FOR TREATMENT.--AFTER  
26 ADMINISTRATION OF A CHEMICAL TEST WHEREIN THE READING IS 0.25%  
27 OR HIGHER, THE ARRESTING OFFICER MAY TRANSPORT THE PERSON TESTED  
28 TO A HOSPITAL FOR POSSIBLE FURTHER TREATMENT. PAYMENT FOR ALL  
29 TREATMENT COSTS INCURRED SHALL BE THE RESPONSIBILITY OF THE  
30 PERSON RECEIVING TREATMENT.

<—

1 § 1549. Establishment of schools.

2 \* \* \*

3 (b) Course of instruction on alcohol and driving.--The  
4 [department in conjunction with the] Governor's Council on Drug  
5 and Alcohol Abuse shall establish and maintain a course of  
6 instruction on the problems of alcohol and driving. The  
7 curriculum of the course of instruction [established by the  
8 department and the Governor's Council on Drug and Alcohol Abuse]  
9 shall be uniform throughout this Commonwealth and shall be  
10 reviewed by [the department and] the Governor's Council on Drug  
11 and Alcohol Abuse on an annual basis.

12 ~~§ 1550. Identification of driver.~~

<—

13 ~~(a) Agreement to reveal identity of driver. Any person to~~  
14 ~~whom a motor vehicle is titled or registered in this~~  
15 ~~Commonwealth is deemed to have agreed:~~

16 ~~(1) To reveal the identity of the driver of the vehicle,~~  
17 ~~if known, to any police officer who shall have reasonable~~  
18 ~~grounds to believe the vehicle was involved in an accident or~~  
19 ~~any violation of the law.~~

20 ~~(2) To accept responsibility for any parking violation~~  
21 ~~in which the vehicle is involved and make payment of any fine~~  
22 ~~levied for such violation.~~

23 ~~(b) Suspension for refusal.~~

24 ~~(1) If any person to whom a motor vehicle is titled or~~  
25 ~~registered in this Commonwealth shall refuse to reveal the~~  
26 ~~identity of the driver of the vehicle as provided in~~  
27 ~~subsection (a)(1), the department shall:~~

28 ~~(i) suspend the operating privilege or the~~  
29 ~~registration of said vehicle of the person for a period~~  
30 ~~of six months; or~~

~~(ii) suspend the operating privilege or the  
registration of said vehicle of the person for a period  
of one year for a second or subsequent refusal within a  
period of three years.~~

~~(2) It shall be the duty of the police officer to inform  
the person that the person's operating privilege or vehicle  
registration will be suspended upon refusal to reveal the  
identity of the driver of the vehicle.~~

~~(3) Any person whose operating privilege or vehicle  
registration is suspended under the provisions of this  
section shall have the same right to appeal as provided for  
in cases of suspension for other reasons.~~

~~{§ 1550} § 1551.~~ Judicial review. <—

(a) General rule.--Any person WHO HAS BEEN denied a driver's <—  
license, WHOSE DRIVER'S LICENSE HAS BEEN CANCELLED or whose <—  
operating privilege has been [recalled, canceled,] suspended or  
revoked by the department shall have the right to appeal ~~by~~ <—  
~~filing a petition within 30 days from the date notice is mailed~~  
~~for a hearing in the court of common pleas of the county in~~  
~~which the driver resides or, in the case of [cancellation,]~~  
~~suspension or revocation of a nonresident's operating privilege,~~  
~~in the county in which the offense giving rise to the [recall,~~  
~~cancellation,] suspension or revocation occurred~~ TO THE COURT <—  
VESTED WITH JURISDICTION OF SUCH APPEALS BY OR PURSUANT TO TITLE  
42 (RELATING TO JUDICIARY AND JUDICIAL PROCEDURE). A COPY OF THE  
PETITION FOR APPEAL, TOGETHER WITH A COPY OF THE NOTICE OF THE  
ACTION FROM WHICH THE APPEAL HAS BEEN TAKEN, shall be served  
upon one of the department's legal offices.

(b) Supersedeas.--[The filing] Filing and service of [the] A <—  
petition FOR APPEAL FROM A SUSPENSION OR REVOCATION shall <—

1 operate as a supersedeas [and no {recall,} suspension{, <—  
2 cancellation} or revocation ~~which has been appealed~~ shall be <—  
3 imposed against such person] until final determination of the <—  
4 matter BY THE COURT OF ORIGINAL APPELLATE JURISDICTION. FILING <—  
5 AND SERVICE OF A PETITION FOR APPEAL FROM DENIAL OR CANCELLATION  
6 OF A DRIVER'S LICENSE UNDER SECTION 1503 (RELATING TO PERSONS  
7 INELIGIBLE FOR LICENSING), 1504 (RELATING TO CLASSES OF  
8 LICENSES) OR 1572(A) (RELATING TO CANCELLATION AND SUSPENSION OF  
9 OPERATING PRIVILEGE) SHALL NOT ACT AS A SUPERSEDEAS UNLESS  
10 ORDERED BY THE COURT AFTER A HEARING ATTENDED BY THE PETITIONER.  
11 FURTHER REVIEW BY ANOTHER APPELLATE COURT SHALL NOT OPERATE AS A  
12 SUPERSEDEAS UNLESS THE COURT OF ORIGINAL OR SUBSEQUENT APPELLATE  
13 JURISDICTION DETERMINES OTHERWISE.

14 (c) ~~Jurisdiction and proceedings~~ PROCEEDINGS of court.--The <—  
15 court ~~is hereby vested with jurisdiction and it shall be its~~ <—  
16 ~~duty to~~ set the matter for hearing ~~forthwith~~ upon 30 days <—  
17 written notice to the department and ~~to~~ determine whether the <—  
18 [petitioner is in fact the person whose] petitioner's DRIVER'S <—  
19 LICENSE SHOULD BE DENIED OR CANCELLED, THE PERSON'S operating  
20 privilege [is subject to the recall, suspension, cancellation or  
21 revocation] ~~should be suspended or revoked, or the person's~~ <—  
22 endorsement removed.

23 ~~{§ 1551} § 1552.~~ Notice of ~~{suspension of licenses or~~ <—  
24 ~~—permits}~~ department action.

25 The department shall [promptly] notify each person {whose <—  
26 license or permit is suspended} ~~of any action taken pursuant to <—~~  
27 ~~section 1538 (relating to school, examination or hearing on~~  
28 ~~accumulation of points) or section 1539 (relating to suspension~~  
29 ~~of operating privilege on accumulation of points)~~ as a result of  
30 the accumulation of points. [The notification that the license

1 or permit is suspended shall be made] Notification shall be  
2 mailed within six months [following] of receipt by the  
3 department of notice of the conviction [of a violation of this  
4 title] that resulted in the addition of sufficient points to  
5 cause the {suspension} ~~department action~~. Failure of the <—  
6 department to give [prompt] notice of {suspension} ~~the action~~ as <—  
7 required by this section shall prohibit the department from  
8 {suspending the license or permit of such person.} ~~taking such~~ <—  
9 action.  
10 ~~§ 1553. Hearing prior to suspension or revocation.~~ <—  
11 ~~Notwithstanding any other provisions of this title to the~~  
12 ~~contrary, before the operating privilege of any driver is~~  
13 ~~suspended or revoked, the driver shall be given the opportunity~~  
14 ~~to have a departmental hearing, if he so requests, before the~~  
15 ~~suspension or revocation becomes effective.~~  
16 § 1552. IDENTIFICATION OF DRIVER. <—  
17 (A) AGREEMENT TO REVEAL IDENTITY OF DRIVER.--ANY PERSON TO  
18 WHOM A MOTOR VEHICLE IS TITLED OR REGISTERED IN THIS  
19 COMMONWEALTH IS DEEMED TO HAVE AGREED:  
20 (1) TO REVEAL THE IDENTITY OF THE DRIVER OF THE VEHICLE,  
21 IF KNOWN, TO ANY POLICE OFFICER WHO SHALL HAVE REASONABLE  
22 GROUND TO BELIEVE THE VEHICLE WAS INVOLVED IN AN ACCIDENT OR  
23 ANY VIOLATION OF THE LAW.  
24 (2) TO ACCEPT RESPONSIBILITY FOR ANY PARKING VIOLATION  
25 IN WHICH THE VEHICLE IS INVOLVED AND MAKE PAYMENT OF ANY FINE  
26 LEVIED FOR SUCH VIOLATION. THIS PARAGRAPH DOES NOT APPLY TO  
27 PERSONS ENGAGED IN THE BUSINESS OF LEASING OR RENTING  
28 VEHICLES TO PERSONS RESPONSIBLE FOR PARKING VIOLATIONS.  
29 (B) SUSPENSION FOR REFUSAL.--  
30 (1) IF ANY PERSON TO WHOM A MOTOR VEHICLE IS TITLED OR



1 REGISTERED IN THIS COMMONWEALTH SHALL REFUSE TO REVEAL THE  
2 IDENTITY OF THE DRIVER OF THE VEHICLE AS PROVIDED IN  
3 SUBSECTION (A)(1), THE DEPARTMENT SHALL:

4 (I) SUSPEND THE REGISTRATION OF THE VEHICLE OR THE  
5 OPERATING PRIVILEGE OF THE PERSON FOR A PERIOD OF SIX  
6 MONTHS; OR

7 (II) SUSPEND THE REGISTRATION OF THE VEHICLE OR THE  
8 OPERATING PRIVILEGE OF THE PERSON FOR A PERIOD OF ONE  
9 YEAR FOR A SECOND OR SUBSEQUENT REFUSAL WITHIN A PERIOD  
10 OF THREE YEARS.

11 (2) IT SHALL BE THE DUTY OF THE POLICE OFFICER TO INFORM  
12 THE PERSON THAT THE PERSON'S OPERATING PRIVILEGE OR VEHICLE  
13 REGISTRATION WILL BE SUSPENDED UPON REFUSAL TO REVEAL THE  
14 IDENTITY OF THE DRIVER OF THE VEHICLE.

15 (3) ANY PERSON WHOSE OPERATING PRIVILEGE OR VEHICLE  
16 REGISTRATION IS SUSPENDED UNDER THE PROVISIONS OF THIS  
17 SECTION SHALL HAVE THE SAME RIGHT TO APPEAL AS PROVIDED FOR  
18 IN CASES OF SUSPENSION FOR OTHER REASONS.

19 § 1571. Violations concerning licenses.

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

21 (1) To exhibit or cause or permit to be exhibited or  
22 have in possession any [recalled,† canceled,] suspended, <—  
23 revoked[, fictitious] or fraudulently altered driver's <—  
24 license.

25 (2) To GIVE, sell or lend a driver's license to any <—  
26 other person or permit the use thereof by another.

27 (3) To purchase, exhibit or represent as one's own any  
28 driver's license not issued to the person.

29 (4) To fail or refuse to surrender to the department  
30 upon lawful demand a recalled, canceled, suspended, revoked[, <—

fictitious] or fraudulently altered driver's license. <—

~~(b) Penalty. Any person violating any of the provisions of~~ <—  
~~this section is guilty of a summary offense and shall, upon~~  
~~conviction, be sentenced to pay a fine of [\$100] \$200.~~

(5) TO USE A FALSE OR FICTITIOUS NAME, OR GIVE A FALSE <—  
OR FICTITIOUS ADDRESS, IN ANY APPLICATION OR FORM REQUIRED  
UNDER THE PROVISIONS OF THIS CHAPTER, OR MAKE A FALSE  
STATEMENT, OR CONCEAL A MATERIAL FACT, OR OTHERWISE COMMIT A  
FRAUD IN ANY SUCH APPLICATION.

(6) TO POSSESS OR SELL ANY COUNTERFEIT DRIVER'S LICENSE  
OR TO FAIL OR REFUSE TO SURRENDER TO THE DEPARTMENT UPON  
LAWFUL DEMAND A COUNTERFEIT DRIVER'S LICENSE.

(B) PENALTY.--

(1) ANY PERSON VIOLATING ANY OF THE PROVISIONS OF [THIS  
SECTION] SUBSECTION (A)(1),(2),(3),(4) OR (5) IS GUILTY OF A  
SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE SENTENCED TO  
PAY A FINE OF \$100.

(2) ANY PERSON VIOLATING THE PROVISIONS OF SUBSECTION  
(A)(6) IS GUILTY OF A MISDEMEANOR OF THE SECOND DEGREE.

§ 1572. ~~{Cancellation}~~ ~~Suspension~~ AND SUSPENSION of [driver's <—  
license] operating privilege.

(a) Ineligibility for licensing.--The department [may cancel  
any] SHALL CANCEL A PERSON'S driver's license ~~shall suspend a~~ <—  
~~person's operating privileges for six months~~ upon determining  
that the licensee was not entitled to [the] issuance OF THE <—  
DRIVER'S LICENSE or that the person failed to give the required  
or correct information or committed fraud in making the  
application or in obtaining the license [or the fee has not been  
paid. Upon the cancellation, the licensee shall immediately  
surrender the canceled license to the department]. IF A PERSON <—

1 WHOSE LICENSE HAS BEEN CANCELLED UNDER THIS SUBSECTION BECOMES  
2 ENTITLED TO ISSUANCE OF A DRIVER'S LICENSE, THE DEPARTMENT MAY  
3 SUSPEND THE PERSON'S OPERATING PRIVILEGE FOR A PERIOD OF SIX  
4 MONTHS.

5 (b) Nonpayment of fee.--The department shall suspend a  
6 person's operating privilege upon determining that the fee FOR <—  
7 THE DRIVER'S LICENSE is not paid. The suspension shall remain in  
8 effect until the required fee and penalty have been paid.

9 § 1573. Driving under foreign license during suspension or  
10 revocation.

11 (A) GENERAL RULE.--Any resident or nonresident whose <—  
12 operating privilege to drive a motor vehicle in this  
13 Commonwealth has been [recalled,† canceled,] suspended or <—  
14 revoked as provided in this title shall not drive a motor  
15 vehicle in this Commonwealth under a license or permit issued by  
16 any other jurisdiction or otherwise during the suspension or  
17 after the [recall,† cancellation or] revocation until a new <—  
18 driver's license is obtained when and as permitted under this  
19 chapter.

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 \$200.

23 § 1704. TRANSFER OF [SUSPENDED] TITLE OR REGISTRATION <—  
24 TO EVADE CHAPTER.

25 (A) GENERAL RULE.--IF THE [REGISTRATIONS] REGISTRATION OF <—  
26 ANY [VEHICLES ARE] VEHICLE IS SUSPENDED UNDER THIS CHAPTER, <—  
27 NEITHER THE TITLE NOR THE [REGISTRATIONS] REGISTRATION SHALL <—  
28 [NOT] BE TRANSFERRED, NOR SHALL THE [VEHICLES] VEHICLE BE TITLED <—  
29 OR REGISTERED IN ANY OTHER NAME, UNTIL THE DEPARTMENT IS  
30 SATISFIED THAT THE TRANSFER [OF REGISTRATIONS] IS PROPOSED IN <—

1 GOOD FAITH AND NOT FOR THE PURPOSE OR WITH THE EFFECT OF  
2 DEFEATING THE PURPOSES OF THIS CHAPTER.

3 (B) SALE OF REPOSSESSED VEHICLE.--THIS SECTION DOES NOT  
4 APPLY TO OR AFFECT THE TITLE OR REGISTRATION OF ANY MOTOR  
5 VEHICLE SOLD BY A PERSON WHO, PURSUANT TO THE TERMS OR  
6 CONDITIONS OF ANY WRITTEN INSTRUMENT GIVING A RIGHT OF  
7 REPOSSESSION, HAS EXERCISED SUCH RIGHT AND HAS REPOSSESSED THE  
8 MOTOR VEHICLE FROM A PERSON WHOSE REGISTRATION HAS BEEN  
9 SUSPENDED UNDER THE PROVISIONS OF THIS CHAPTER.

10 (C) RIGHTS OF LIENHOLDERS AND LESSORS.--THIS CHAPTER DOES  
11 NOT IN ANY WAY AFFECT THE RIGHTS OF ANY CONDITIONAL VENDOR,  
12 CHATTEL MORTGAGEE OR LESSOR OF A MOTOR VEHICLE REGISTERED IN THE  
13 NAME OF ANOTHER PERSON WHO BECOMES SUBJECT TO THE PROVISIONS OF  
14 THIS CHAPTER.

15 § 1741. [COURT REPORTS] REPORTS ON NONPAYMENT OF JUDGMENTS.

16 (A) GENERAL RULE.--WHENEVER ANY PERSON FAILS WITHIN 60 DAYS  
17 TO SATISFY ANY JUDGMENT ARISING FROM A MOTOR VEHICLE ACCIDENT,  
18 THE [JUDGMENT CREDITOR MAY] PROTHONOTARY OR CLERK OF COURT  
19 SHALL, AND THE HOLDER OF A FOREIGN JUDGMENT MAY, FORWARD TO THE  
20 DEPARTMENT ON A FORM PRESCRIBED BY THE DEPARTMENT A CERTIFIED  
21 COPY OF THE JUDGMENT. THE JUDGMENT SHALL BE TREATED AS A  
22 SECURITY INTEREST UNDER SUBCHAPTER B OF CHAPTER 11 (RELATING TO  
23 SECURITY INTERESTS).

24 (B) NOTICE TO STATE OF NONRESIDENT DEFENDANT.--IF THE  
25 DEFENDANT NAMED IN ANY CERTIFIED COPY OF A JUDGMENT REPORTED TO  
26 THE DEPARTMENT IS A NONRESIDENT, THE DEPARTMENT SHALL TRANSMIT A  
27 CERTIFIED COPY OF THE JUDGMENT TO THE OFFICIAL IN CHARGE OF THE  
28 ISSUANCE OF LICENSES AND REGISTRATION CERTIFICATES OF THE STATE  
29 OF WHICH THE DEFENDANT IS A RESIDENT.

30 (C) PERFECTING SECURITY INTEREST.--THE DEPARTMENT BY

1 REGULATION SHALL:

2       (1) PROVIDE AN OPPORTUNITY FOR THE JUDGMENT CREDITOR TO  
3       RECOMMEND TO THE DEPARTMENT WHICH VEHICLE OR VEHICLES OF THE  
4       DEFENDANT SHALL HAVE THE JUDGMENT NOTED ON THEIR CERTIFICATES  
5       OF TITLE AS A SECURITY INTEREST.

6       (2) REQUIRE THE JUDGMENT CREDITOR TO PAY THE APPLICABLE  
7       FEE OR FEES FOR RECORDING EACH JUDGMENT AS A SECURITY  
8       INTEREST ALL OF WHICH FEES SHALL BE RECOVERABLE BY THE  
9       JUDGMENT CREDITOR AS COSTS FROM THE DEFENDANT.

10       (3) REQUIRE THE DEFENDANT OR THE FIRST LIENHOLDER TO  
11       RETURN ALL APPLICABLE TITLES TO THE DEPARTMENT SO THAT THE  
12       JUDGMENT CAN BE NOTED THEREON.

13 § 1747. PROVIDING FINANCIAL RESPONSIBILITY.

14       (A) GENERAL RULE.--PROOF OF FINANCIAL RESPONSIBILITY MAY BE  
15 FURNISHED BY FILING EVIDENCE SATISFACTORY TO THE DEPARTMENT THAT  
16 ALL MOTOR VEHICLES REGISTERED IN A PERSON'S NAME ARE COVERED BY  
17 THE INSURANCE REQUIRED IN SECTION 104 OF THE ACT OF JULY 19,  
18 1974 (P.L.489, NO.176), KNOWN AS THE "PENNSYLVANIA NO-FAULT  
19 MOTOR VEHICLE INSURANCE ACT," OR[, IF THE PERSON HAS NO MOTOR  
20 VEHICLE, THAT THE PERSON IS COVERED BY A NONOWNER'S POLICY  
21 HAVING THE SAME LIMITS OF LIABILITY AS ARE REQUIRED IN SECTION  
22 104 OF THAT ACT] THAT A PERSON DOES NOT OWN A MOTOR VEHICLE.

23       \* \* \*

24 § 1901. Exemption of entities and vehicles from fees.

25       (a) Governmental and quasi-governmental entities.--Except as  
26 otherwise specifically provided in this title, no fees shall be  
27 charged under this title to any of the following:

28               (1) The Commonwealth.

29               (2) Political subdivisions of this Commonwealth.

30               (3) [State and local authorities.] Governmental

1 authorities organized under the laws of this Commonwealth.

2 (4) The Federal Government.

3 (5) Other states.

4 (b) Title and registration fees.--No fee shall be charged  
5 for titling or registration of any of the following:

6 (1) Buses registered by urban mass transportation  
7 systems [except that this paragraph shall cover only the  
8 number of buses which the department determines are required  
9 to provide scheduled service within the county in which they  
10 have their principal place of business or contiguous  
11 counties].

12 (2) Vehicles registered by volunteer fire, rescue and  
13 ambulance associations.

14 (3) Vehicles registered by foreign nationals with the  
15 rank of vice consul or higher assigned to a consulate in this  
16 Commonwealth provided that citizens of the United States are  
17 granted reciprocal exemptions.

18 (4) Vehicles of totally disabled veterans whose  
19 disability is certified by the United States Veterans'  
20 Administration as service-connected.

21 (c) Processing fee in lieu of registration fee.--No  
22 registration fee shall be charged for vehicles registered by any  
23 of the following but the department shall charge a fee of \$10 to  
24 cover the costs of processing for issuing or renewing the  
25 registration:

26 (1) Hospital.

27 (2) Humane society.

28 (3) Nonprofit youth center.

29 (4) American Red Cross.

30 (5) Church.

- 1 (6) Girl Scouts of America.
- 2 (7) Boy Scouts of America.
- 3 (8) Salvation Army.
- 4 (9) Duly chartered posts of national veterans'
- 5 organizations.
- 6 (10) Young Men's Christian Association.
- 7 (11) Young Men's Hebrew Association.
- 8 (12) Young Women's Christian Association.
- 9 (13) Young Women's Hebrew Association.
- 10 (14) Jewish Community Center.
- 11 (15) Nonprofit corporations of musical marching groups
- 12 of youths.
- 13 (16) Any person who is retired and receiving social
- 14 security or other pension and whose total income does not
- 15 exceed \$7,500 per year. Unless the retired person is
- 16 physically or mentally incapable of driving the vehicle, the
- 17 retired person shall be the principal driver of the vehicle
- 18 but may from time to time authorize another person to drive
- 19 the vehicle in his or her stead.
- 20 (17) Any veteran [who lost a limb or eye or who became
- 21 partially paralyzed while serving in the armed forces of the
- 22 United States] who is not totally disabled but who lost one
- 23 or more limbs or eyes or is partially paralyzed and whose
- 24 disability is certified by the United States Veterans'
- 25 Administration as service-connected.
- 26 ~~(18) Any nonprofit school of secondary education for~~ <—
- 27 ~~vehicles used in State approved drivers' education programs.~~
- 28 ~~(19) Nonprofit corporations of senior citizens.~~
- 29 ~~(20) Pennsylvania Public Television Stations.~~
- 30 ~~(21) Camp Fire Girls of America, Inc.~~

1           ~~(18) NONPROFIT CORPORATIONS FOR THE BENEFIT OF SENIOR~~ <—

2           ~~CITIZENS.~~

3           \* \* \*

4           ~~§ 1911. Annual registration fees.~~ <—

5           ~~(a) General rule. An annual fee for the registration of~~  
6           ~~vehicles as provided in Chapter 13 (relating to the registration~~  
7           ~~of vehicles) shall be charged by the department as provided in~~  
8           ~~this title.~~

9           ~~(b) Department to establish certain fees. If a vehicle to~~  
10          ~~be registered is of a type not specifically provided for by this~~  
11          ~~title and is otherwise eligible for registration, the department~~  
12          ~~shall determine the most appropriate fee or fee schedule for the~~  
13          ~~vehicle or type of vehicle based on such factors as design and~~  
14          ~~intended use.~~

15          ~~(c) Registration after beginning of registration year.~~

16               ~~(1) When registration is applied for after the beginning~~  
17               ~~of the seventh month of the registration year but before the~~  
18               ~~beginning of the tenth month of the registration year, the~~  
19               ~~fee for registration of a vehicle shall be one half the~~  
20               ~~annual fee.~~

21               ~~(2) When the registration is applied for after the~~  
22               ~~beginning of the tenth month of the registration year, the~~  
23               ~~fee for registration of a vehicle shall be one fourth the~~  
24               ~~annual fee.~~

25               ~~(3) The provisions of this subsection shall apply only~~  
26               ~~until such time as the department shall implement a staggered~~  
27               ~~registration system.~~

28          § 1902. EXEMPTIONS FROM OTHER FEES. <—

29          NO FEE SHALL BE CHARGED UNDER THIS TITLE FOR OR TO ANY OF THE  
30          FOLLOWING:



(1) A CERTIFICATE OF TITLE RETURNED TO THE DEPARTMENT  
FOR CANCELLATION.

(2) THE REPLACEMENT OF A REGISTRATION CARD OR PLATE,  
DRIVER'S LICENSE, LEARNER'S PERMIT OR CERTIFICATE OF TITLE  
LOST IN THE MAIL IF THE APPLICANT FILES AN AFFIDAVIT OF  
NONRECEIPT WITHIN 45 DAYS OF THE DATE OF ORIGINAL ISSUANCE.

(3) [A CERTIFICATE OF JUNK.] AN AUTHORIZATION TO SALVAGE  
A VEHICLE.

(4) A CERTIFICATE OF REJECTION.

(5) A SPECIAL HAULING PERMIT ISSUED TO ANY PERSON  
HAULING EQUIPMENT OR MATERIALS FOR USE ON A FEDERAL OR STATE  
EMERGENCY RELIEF PROJECT.

(6) A MANUFACTURER, JOBBER OR DEALER FOR A CERTIFICATE  
OF TITLE TO A MOTOR VEHICLE, TRAILER OR SEMITRAILER WHEN  
ASSIGNMENT OF CERTIFICATE OF TITLE ACCOMPANIES THE  
APPLICATION FOR CERTIFICATE OF TITLE, AND WHEN THE DEALER,  
MANUFACTURER OR JOBBER IS POSSESSED OF CURRENT  
MANUFACTURER'S, DEALER'S OR JOBBER'S REGISTRATION PLATES.

~~§ 1914. Motorcycles.~~

~~The annual fee for registration of a motorcycle other than a  
[motor-driven cycle] motorized pedalcycle shall be \$12.~~

~~§ 1915. [Motor-driven cycles] Motorized pedalcycles.~~

~~The annual fee for registration of a [motor-driven cycle]  
motorized pedalcycle shall be \$6 AND FOR ANY OTHER MOTOR-DRIVEN  
CYCLE SHALL BE \$9.~~

~~§ 1916. Trucks and truck tractors.~~

~~[The] (A) GENERAL RULE.--EXCEPT AS OTHERWISE PROVIDED IN~~

~~THIS CHAPTER, THE~~ annual fee for registration of a truck or  
truck tractor shall be determined by its registered gross weight  
or combination weight in pounds according to the following

1 table:

2	Class	Registered	Fee
3		Gross or Combination	
4		Weight in Pounds	
5	1	5,000 or less	\$ 39
6	2	5,001 - 7,000	[52]
7			<u>51</u>
8	3	7,001 - 9,000	84
9	4	9,001 - 11,000	108
10	5	11,001 - 14,000	132
11	6	14,001 - 17,000	156
12	7	17,001 - 21,000	192
13	8	21,001 - 26,000	216
14	9	26,001 - 30,000	252
15	10	30,001 - 33,000	300
16	11	33,001 - 36,000	324
17	12	36,001 - 40,000	342
18	13	40,001 - 44,000	360
19	14	44,001 - 48,000	384
20	15	48,001 - 52,000	420
21	16	52,001 - 56,000	444
22	17	56,001 - 60,000	501
23	18	60,001 - 64,000	552
24	19	64,001 - 68,000	576
25	20	68,001 - 73,280	606

26 (B) WRECKERS.--THE ANNUAL FEE FOR REGISTRATION OF A WRECKER <—  
27 SHALL BE \$150.

28 § 1917. [Motor buses.] Buses.

29 The annual fee for registration of a [motor] bus other than a  
30 school bus shall be determined by its seating capacity according

1 to the following table:

2 Seating Capacity	Fee
3 26 or less	\$6 per seat
4 27 - 51	156 plus \$7.50 per seat
5	in excess of 26
6 52 or more	360

7 § 1919. Electric vehicles.

8 The annual fee for registration of a vehicle which is  
9 propelled by electric power shall be \$12 unless such THE vehicle <—  
10 qualifies for a lesser fee under another provision of this  
11 subchapter.

12 § 1923. Antique and [classic] historic vehicles.

13 The fee for registration of an antique or [classic] historic  
14 motor vehicle shall be \$50.

15 § 1924. Farm trucks.

16 (A) GENERAL RULE.--The annual fee for registration of a farm <—  
17 truck shall be [\$27] \$51 or one-third of the regular fee,  
18 whichever is greater.

19 (B) CERTIFICATE OF EXEMPTION.--THE BIENNIAL PROCESSING FEE <—  
20 FOR A CERTIFICATE OF EXEMPTION ISSUED IN LIEU OF REGISTRATION OF  
21 A FARM TRUCK SHALL BE \$12.

22 § 1925. AMBULANCES, [TAXIS] TAXICABS AND HEARSEs.

23 THE ANNUAL FEE FOR REGISTRATION OF AN AMBULANCE, [TAXI]  
24 TAXICAB OR HEARSE SHALL BE \$36.

25 § 1926. Dealers and miscellaneous motor vehicle business.

26 \* \* \* <—

27 (A) GENERAL RULE.--THE ANNUAL FEE FOR A DEALER OR <—  
28 MANUFACTURER REGISTRATION PLATE OR MISCELLANEOUS MOTOR VEHICLE  
29 BUSINESS PLATE SHALL BE \$24.

30 (B) MOTORCYCLE DEALERS.--THE ANNUAL FEE FOR EACH DEALER

1 REGISTRATION PLATE ISSUED TO A MOTORCYCLE DEALER OTHER THAN A  
2 MOTOR-DRIVEN CYCLE DEALER SHALL BE \$12.

3 (c) ~~{Motor-driven cycle} Motorized pedalcycle~~ dealers.--The <—  
4 annual fee for each dealer registration plate issued to a  
5 ~~{motor-driven cycle} motorized pedalcycle~~ dealer, INCLUDING A <—  
6 MOTORIZED PEDALCYCLE DEALER, shall be \$6.

7 § 1928. TEMPORARY REGISTRATION PLATES. <—

8 (A) GENERAL RULE.--THE FEE PAYABLE BY A DEALER OR OTHER  
9 DISPENSING AGENT FOR A TEMPORARY REGISTRATION PLATE SHALL BE \$1.  
10 [THE CHARGE OF THE AGENT FOR PROVIDING AN APPLICANT WITH A  
11 TEMPORARY PLATE SHALL NOT EXCEED A TOTAL OF \$5.]

12 (B) DESIGNATION AS ISSUING AGENT.--THE ANNUAL FEE FOR  
13 DESIGNATION BY THE DEPARTMENT OF A PERSON OTHER THAN A DEALER OR  
14 MANUFACTURER AS AN ISSUING AGENT OF TEMPORARY REGISTRATION  
15 PLATES SHALL BE \$25.

16 § 1929. Replacement registration plates.

17 The fee for a replacement registration plate and accompanying  
18 registration card other than a legislative or personal plate  
19 shall be \$5. In no case shall any additional fee be charged for  
20 the accompanying card.

21 § 1933. AMATEUR RADIO OPERATOR PLATES. <—

22 THE FEE FOR ISSUANCE OF AN AMATEUR RADIO OPERATOR PLATE SHALL  
23 BE \$20 WHICH SHALL BE IN ADDITION TO THE ANNUAL REGISTRATION  
24 FEE. ONLY ONE PAYMENT OF THE ISSUANCE FEE SHALL BE CHARGED FOR  
25 EACH AMATEUR RADIO PLATE ISSUED OR REPLACED.

26 § 1943. Annual hauling permits.

27 \* \* \*

28 (b) Implements of husbandry.--The annual fee for operation  
29 or movement of oversize [self-propelled] implements of  
30 husbandry, as provided for in section 4967 (relating to permit

1 for movement of implements of husbandry), shall be \$20 for the  
2 first implement and \$5 for each additional implement.

3 \* \* \*

4 ~~§ 1944. Utility construction equipment.~~ <—

5 ~~The fee for a permit for each item of oversized or overweight~~  
6 ~~utility construction equipment as provided for in section 4970~~  
7 ~~(relating to permit for movement of utility construction~~  
8 ~~equipment) shall be \$50.~~

9 ~~§ [1944] 1945. Mobile homes and similar trailers.~~ <—

10 § 1944. **[MOBILE HOMES AND SIMILAR TRAILERS] PERMITS FOR** <—  
11 **OTHER VEHICLES AND EQUIPMENT.**

12 (A) MOBILE HOMES.--The fee for a special hauling permit for <—  
13 a mobile home [or similar trailer which exceeds the maximum size <—  
14 prescribed in this title] shall be \$20. <—

15 ~~§ [1945] 1946. Books of permits.~~ <—

16 ~~(a) General rule. Upon request, permits for movement of~~  
17 ~~oversize vehicles or loads, the dimensions of which do not~~  
18 ~~exceed those specified by the department, will be issued in~~  
19 ~~booklet form, containing a convenient number of permits. For~~  
20 ~~each movement, one permit shall be removed from the booklet,~~  
21 ~~dated, trip data entered and securely affixed to the vehicle or~~  
22 ~~load.~~

23 ~~(b) Penalty. Any person violating any of the provisions of~~  
24 ~~this section is guilty of a summary offense and shall, upon~~  
25 ~~conviction, be sentenced to pay a fine of \$500.~~

26 ~~§ [1946] 1947. Movements requiring special escort.~~

27 ~~When a special escort is required, as provided for in section~~  
28 ~~4962 (relating to conditions of permits and security for~~  
29 ~~damages), the cost of the escort shall be added to the permit~~  
30 ~~fee. The department, the Pennsylvania State Police and local~~

1 ~~authorities may establish schedules of fees for escort costs~~  
2 ~~based on mileage or otherwise.~~

3 ~~§ [1947] 1948. Refund of certain fees.~~

4 ~~The portion of the fee of an unused overweight permit based~~  
5 ~~on ton miles or the fee for an unused escort, or both, may be~~  
6 ~~refunded upon payment of a processing fee of \$10.~~

7 (B) CONSTRUCTION EQUIPMENT.--THE FEE FOR A PERMIT FOR EACH <—  
8 ITEM OF OVERSIZED OR OVERWEIGHT CONSTRUCTION EQUIPMENT, AS  
9 PROVIDED FOR IN SECTION 4970 (RELATING TO PERMIT FOR MOVEMENT OF  
10 CONSTRUCTION EQUIPMENT), SHALL BE \$50.

11 (C) CONSTRUCTION STORAGE TRAILERS.--THE FEE FOR A SPECIAL  
12 HAULING PERMIT FOR A CONSTRUCTION STORAGE TRAILER SHALL BE \$20.

13 § 1951. Driver's license and learner's permit.

14 (a) Driver's license.--The annual fee for a driver's license  
15 shall be \$5 [plus the cost of the photograph required in section  
16 1510(a) (relating to issuance and content of driver's license)].

17 (b) Learner's permit.--The fee for a learner's permit shall  
18 be \$5.

19 (c) Identification card.--The fee for an identification card  
20 shall be \$5.

21 (d) Replacement license or card.--The fee for a replacement  
22 driver's license or identification card shall be \$5.

23 (e) Photograph.--In addition to the fees set forth in this  
24 section, the department shall charge the cost of the photograph  
25 required by section 1510 (relating to issuance and content of  
26 driver's license).

27 § 1952. CERTIFICATE OF TITLE. <—

28 (A) GENERAL RULE.--THE FEE FOR ISSUING OR TRANSFERRING A  
29 CERTIFICATE OF TITLE FOR A MOBILE HOME SHALL BE \$15 AND FOR ANY  
30 OTHER VEHICLE SHALL BE \$5.

1 (B) DUPLICATE CERTIFICATE.--THE FEE FOR A DUPLICATE  
2 CERTIFICATE OF TITLE SHALL BE \$5.

3 (C) MANUFACTURER'S OR DEALER'S NOTIFICATION.--THE FEE FOR A  
4 MANUFACTURER'S OR DEALER'S NOTIFICATION OF ACQUISITION OF A  
5 VEHICLE FROM ANOTHER MANUFACTURER OR DEALER FOR RESALE PURSUANT  
6 TO SECTION 1113 (RELATING TO TRANSFER TO OR FROM MANUFACTURER OR  
7 DEALER) SHALL BE \$2.

8 (D) CANCELLATION.--THE FEE FOR CANCELLATION OF A MOBILE HOME  
9 CERTIFICATE OF TITLE SHALL BE \$5.

10 (E) REMOVAL OF ENDORSEMENT.--THE FEE FOR REMOVAL OF A  
11 SALVAGE AUTHORIZATION ENDORSEMENT FROM A CERTIFICATE OF TITLE  
12 SHALL BE \$5 UNLESS THE ENDORSEMENT IS REMOVED IN CONJUNCTION  
13 WITH THE TRANSFER OF TITLE TO THE VEHICLE.

14 § 1953. Security interest.

15 The fee for recording or changing [the amount of] a security  
16 interest on a certificate of title shall be \$5 except that no  
17 fee shall be charged pursuant to this section when a fee is also <—  
18 charged pursuant to section 1952 (relating to certificate of  
19 title) FOR REMOVING A SECURITY INTEREST IN CONNECTION WITH <—  
20 ANOTHER TRANSACTION PERTAINING TO THE CERTIFICATE OF TITLE.

21 ~~§ 1955. Information concerning drivers and vehicles.~~ <—

22 ~~(a) [Registrations, titles and security interests] General~~  
23 ~~rule. The fee for copies of or information relating to a~~  
24 ~~driver's license, learner's permit, driving record,~~  
25 ~~registration, title or security interest shall be \$2.50.~~

26 \* \* \*

27 § 1955. INFORMATION CONCERNING DRIVERS [AND], VEHICLES <—  
28 AND ACCIDENTS.

29 (A) [REGISTRATIONS, TITLES AND SECURITY INTERESTS] DRIVER  
30 AND VEHICLE INFORMATION.--THE FEE FOR [COPIES OF OR] INFORMATION

1 OR A COPY OF A FILE OR PORTION OF A FILE RELATING TO [A  
2 REGISTRATION, TITLE OR SECURITY INTEREST] SPECIFIC DRIVERS OR  
3 VEHICLES SHALL BE \$2.50 EXCEPT THAT THE DEPARTMENT MAY CHARGE A  
4 FEE TO A GOVERNMENTAL OR QUASI-GOVERNMENTAL ENTITY UNDER THIS  
5 SUBSECTION BASED ON THE COST TO THE DEPARTMENT OF SUPPLYING THE  
6 REQUESTED COPIES AND INFORMATION.

7 (B) ACCIDENT INFORMATION.--

8 (1) THE FEE FOR A COPY OF A POLICE ACCIDENT REPORT SHALL  
9 BE \$5.

10 (2) THE FEE FOR A DRIVER'S ACCIDENT REPORT REQUESTED BY  
11 THE DRIVER WHO SUBMITTED IT SHALL BE \$1.

12 (3) THE FEE FOR PROVIDING INFORMATION PERTAINING TO AN  
13 ACCIDENT REPORT, AS AUTHORIZED IN THIS TITLE, SHALL BE \$2.50.

14 [(B) OTHER DATA AND] (C) COMPILATIONS OF DATA AND  
15 STATISTICAL INFORMATION.--THE DEPARTMENT MAY CHARGE TO ANY  
16 PERSON OR GOVERNMENTAL OR QUASI-GOVERNMENTAL ENTITY A REASONABLE  
17 FEE BASED ON THE COST TO THE DEPARTMENT OF COMPILING AND  
18 ANALYZING REQUESTED DATA AND STATISTICAL INFORMATION [UPON  
19 REQUEST]. THE DEPARTMENT MAY ALSO ESTABLISH A MINIMUM FEE FOR  
20 SUCH DATA AND INFORMATION.

21 § 1956. CERTIFIED COPIES OF RECORDS.

22 (A) DEPARTMENT RECORDS.--THE FEE FOR [A CERTIFIED COPY OF  
23 ANY] CERTIFYING A DEPARTMENT RECORD OR INFORMATION PERTAINING TO  
24 A RECORD WHICH THE DEPARTMENT IS AUTHORIZED BY LAW TO [FURNISH  
25 TO THE PUBLIC] PROVIDE SHALL BE \$5 [FOR EACH FORM OR SUPPORTING  
26 DOCUMENT COMPRISING SUCH RECORD].

27 (B) STATE POLICE REPORTS.--THE FEE FOR A CERTIFIED  
28 PENNSYLVANIA STATE POLICE RECORD OF INVESTIGATION OF A VEHICLE  
29 ACCIDENT WHICH THE PENNSYLVANIA STATE POLICE ARE AUTHORIZED BY  
30 THIS TITLE TO FURNISH TO THE PUBLIC SHALL BE \$5 FOR EACH COPY OF



1 THE PENNSYLVANIA STATE POLICE FULL REPORT OF INVESTIGATION.

2 § 1957. Uncollectible checks.

3 Whenever any check issued in payment of any fee or for any  
4 other purpose is returned to the department as uncollectible,  
5 the department or municipality shall charge a fee of \$10 for  
6 each driver's license, registration, replacement of tags,  
7 transfer of registration, certificate of title, whether original  
8 or duplicate, special hauling permit and each other unit of  
9 issue by the department or municipality, plus all protest fees,  
10 to the person [presenting] drawing the check, to cover the cost  
11 of collection.

12 § 1958. CERTIFICATE OF INSPECTION. <—

13 THE DEPARTMENT SHALL CHARGE [25¢] 50¢ FOR EACH CERTIFICATE OF  
14 INSPECTION. THE DEPARTMENT SHALL REFUND 80% OF THE COST OF ANY  
15 UNISSUED CERTIFICATE OF INSPECTION UPON REQUEST MADE WITHIN 30  
16 DAYS FOLLOWING THE EXPIRATION OF THE INSPECTION PERIOD FOR WHICH  
17 IT WAS VALID.

18 § 1960. Driver improvement school, department hearing and  
19 special examination.

20 The fee for attending a driver improvement school OR <—  
21 department hearing or undergoing a special examination, as <—  
22 provided for in section 1538 (relating to school, examination or  
23 hearing on accumulation of points or excessive speeding), shall <—  
24 be \$10.

25 ~~§ 1961. Certificate of exemption for farm truck.~~ <—

26 ~~The biannual processing fee for a certificate of exemption~~  
27 ~~issued in lieu of registration of a farm truck shall be \$12.~~

28 § 1961. CHARGES BY AGENTS. <—

29 THE TOTAL CHARGE BY AN AGENT FOR PROVIDING AN APPLICANT WITH  
30 ANY TYPE OF CERTIFICATE OF TITLE AND REGISTRATION SHALL NOT

1 EXCEED \$5 PLUS ANY NOTARY FEES.

2 § 3101. Application of part.

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

8 (b) [Serious] Certain traffic offenses.--The provisions of  
9 section 3714 (relating to reckless driving) and of [subchapter] <—  
10 SUBCHAPTERS B (RELATING TO SERIOUS TRAFFIC OFFENSES) AND C <—  
11 (RELATING TO ACCIDENTS AND ACCIDENT REPORTS) of Chapter 37  
12 [(relating to serious traffic offenses)] shall apply upon <—  
13 highways and [trafficways] UPON ALL PUBLIC AND PRIVATE PROPERTY <—  
14 throughout this Commonwealth.

15 § 3102. OBEDIENCE TO AUTHORIZED PERSONS DIRECTING TRAFFIC. <—

16 NO PERSON SHALL WILLFULLY FAIL OR REFUSE TO COMPLY WITH ANY  
17 LAWFUL ORDER OR DIRECTION OF ANY UNIFORMED POLICE OFFICER,  
18 SHERIFF OR CONSTABLE OR ANY APPROPRIATELY ATTIRED OR EQUIPPED  
19 PERSON AUTHORIZED TO DIRECT, CONTROL OR REGULATE TRAFFIC.

20 § 3105. Drivers of emergency vehicles.

21 \* \* \*

22 (B) EXERCISE OF SPECIAL PRIVILEGES.--THE DRIVER OF AN <—  
23 EMERGENCY VEHICLE MAY:

24 (1) PARK OR STAND, IRRESPECTIVE OF THE PROVISIONS OF  
25 THIS PART.

26 (2) PROCEED PAST A RED SIGNAL INDICATION OR STOP SIGN,  
27 BUT ONLY AFTER SLOWING DOWN AS MAY BE NECESSARY FOR SAFE  
28 OPERATION[, EXCEPT AS PROVIDED IN SUBSECTION (D)].

29 (3) EXCEED THE MAXIMUM SPEED LIMITS SO LONG AS THE  
30 DRIVER DOES NOT ENDANGER LIFE OR PROPERTY, EXCEPT AS PROVIDED

1 IN SUBSECTION (D).

2 (4) DISREGARD REGULATIONS GOVERNING DIRECTION OF  
3 MOVEMENT OR TURNING IN SPECIFIED DIRECTIONS.

4 (c) Audible and visual signals required.--The privileges  
5 granted in this section to an emergency vehicle shall apply only  
6 when the vehicle is making use of an audible signal and visual  
7 signals meeting the requirements and standards set forth in  
8 regulations adopted by the department, except that an emergency  
9 vehicle operated as {a police vehicle [need]:

10 ~~(1) A police vehicle:~~

11 ~~(i) (1) Need~~ not be equipped with or display the visual  
12 signals.

13 ~~(ii) (2) Need not use an audible signal when attempting~~  
14 ~~to time the rate of speed of a vehicle except when exercising~~  
15 ~~the special privileges granted under subsection (b)(2) or~~  
16 ~~(4).~~

17 ~~(2) An ambulance need not use an audible signal when~~  
18 ~~transporting a patient whose condition would be aggravated by~~  
19 ~~the use of the audible signal.~~

20 [(d) {Ambulance and blood-delivery} ~~Blood delivery~~  
21 vehicles.--The driver of {an ambulance or} a blood-delivery  
22 vehicle shall comply with maximum speed limits, red signal  
23 indications and stop signs. After ascertaining that the  
24 {ambulance or} blood-delivery vehicle will be given the right-  
25 of-way, the driver may proceed through a red signal indication  
26 or stop sign.]

27 \* \* \*

28 § 3111. Obedience to traffic-control devices.

29 \* \* \*

30 (e) Evasion of traffic-control devices.--The driver of a

1 motor vehicle shall not evade or attempt to evade a traffic-  
2 control device by driving off the roadway and shoulder of the  
3 highway.

4 § 3112. Traffic-control signals.

5 (a) General rule.--Whenever traffic is controlled by  
6 traffic-control signals exhibiting different colored lights, or  
7 colored lighted arrows, successively one at a time or in  
8 combination, only the colors green, red and yellow shall be  
9 used, except for special pedestrian signals carrying a word  
10 legend, and the lights shall indicate and apply to drivers of  
11 vehicles and pedestrians as follows:

12 (1) Green indication.--

13 (i) Vehicular traffic facing a circular green signal  
14 may proceed straight through or turn right or left unless  
15 a sign at such place prohibits either such turn except  
16 that vehicular traffic, including vehicles turning right  
17 or left, shall yield the right-of-way to other vehicles  
18 and to pedestrians lawfully within the intersection or an  
19 adjacent crosswalk at the time the signal is exhibited.

20 (ii) Vehicular traffic facing a green arrow signal,  
21 shown alone or in combination with another indication,  
22 may enter the intersection only to make the movement  
23 indicated by the arrow, or such other movement as is  
24 permitted by other indications shown at the same time.  
25 Such vehicular traffic shall yield the right-of-way to  
26 pedestrians lawfully within an adjacent crosswalk and to  
27 other traffic lawfully using the intersection.

28 (iii) Unless otherwise directed by a pedestrian[- <—  
29 control] signal as provided in section 3113 (relating to <—  
30 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.

(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] SHOULD 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) Unless a sign is in place prohibiting a turn, vehicular traffic facing a steady red signal may enter the intersection to turn right, or to turn left from a one-way [roadway] highway onto a one-way [roadway] highway after stopping as required by subparagraph (i). Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection. THE

~~PROVISIONS OF THIS SUBPARAGRAPH WHICH AUTHORIZE RIGHT OR~~

~~LEFT TURNS ON A RED SIGNAL SHALL NOT APPLY IN CITIES OF  
THE FIRST CLASS IF THE CITY ERECTS SIGNS CONTAINING SUCH  
INFORMATION AND PLACED AT SUCH LOCATIONS ALONG STREETS ON  
THE CITY BOUNDARIES AS THE DEPARTMENT DETERMINES EXCEPT  
THAT A CITY OF THE FIRST CLASS MAY PERMIT THE TYPE OF  
RIGHT OR LEFT TURNS ON RED AUTHORIZED BY THIS  
SUBPARAGRAPH AT INTERSECTIONS WHERE A SIGN IS IN PLACE  
PERMITTING SUCH A TURN.~~

(iii) Unless otherwise directed by a pedestrian[—  
control] signal as provided in section 3113, pedestrians  
facing a steady red signal alone [shall] should not enter  
the roadway.

~~\*\*\*~~

(B) PLACES OTHER THAN INTERSECTIONS.--IN THE EVENT AN  
OFFICIAL TRAFFIC-CONTROL SIGNAL IS ERECTED AND MAINTAINED AT A  
PLACE OTHER THAN AN INTERSECTION, THE PROVISIONS OF THIS SECTION  
SHALL BE APPLICABLE EXCEPT AS TO THOSE PROVISIONS WHICH BY THEIR  
NATURE CAN HAVE NO APPLICATION. ANY STOP REQUIRED SHALL BE MADE  
AT A SIGN OR MARKING ON THE PAVEMENT INDICATING WHERE THE STOP  
SHALL BE MADE, BUT IN THE ABSENCE OF ANY SUCH SIGN OR MARKING  
THE STOP SHALL BE MADE AT THE SIGNAL.

(C) INOPERABLE OR MALFUNCTIONING TRAFFIC-CONTROL SIGNAL.--IF  
A TRAFFIC-CONTROL SIGNAL IS OUT OF OPERATION OR IS NOT  
FUNCTIONING PROPERLY, VEHICULAR TRAFFIC FACING A:

(1) GREEN OR YELLOW SIGNAL MAY PROCEED WITH CAUTION AS  
INDICATED IN SUBSECTION (A)(1) AND (2).

(2) RED OR COMPLETELY UNLIGHTED SIGNAL SHALL STOP IN THE  
SAME MANNER AS AT A STOP SIGN, AND THE RIGHT TO PROCEED SHALL  
BE SUBJECT TO THE RULES APPLICABLE AFTER MAKING A STOP AT A  
STOP SIGN AS PROVIDED IN SECTION 3323 (RELATING TO STOP SIGNS

1 AND YIELD SIGNS).

2 (D) LOCAL REGULATION.--THIS SECTION DOES NOT PROHIBIT A  
3 MUNICIPALITY FROM ESTABLISHING A SUMMARY OFFENSE FOR VIOLATION  
4 OF SUBSECTION (A)(2)(II) OR (3)(III).

5 § 3113. PEDESTRIAN[-CONTROL] SIGNALS.

6 (A) GENERAL RULE.--WHENEVER SPECIAL PEDESTRIAN[-CONTROL]  
7 SIGNALS EXHIBITING THE WORDS "WALK" OR "DON'T WALK" ARE IN  
8 PLACE, THE SIGNALS SHALL INDICATE AS FOLLOWS:

9 (1) "WALK".--PEDESTRIANS FACING THE SIGNAL SHOULD  
10 PROCEED ACROSS THE ROADWAY IN THE DIRECTION OF THE SIGNAL AND  
11 SHALL BE GIVEN THE RIGHT-OF-WAY BY THE DRIVERS OF ALL  
12 VEHICLES.

13 (2) "DON'T WALK".--PEDESTRIANS SHOULD NOT START TO CROSS  
14 THE ROADWAY IN THE DIRECTION OF THE SIGNAL, BUT ANY  
15 PEDESTRIAN WHO HAS PARTIALLY COMPLETED HIS CROSSING ON THE  
16 "WALK" SIGNAL SHOULD PROCEED TO A SIDEWALK OR SAFETY ZONE  
17 WHILE THE "DON'T WALK" SIGNAL IS SHOWING.

18 (3) FLASHING "WALK".--WHENEVER THE "WALK" INDICATION IS  
19 FLASHING, PEDESTRIANS FACING THE SIGNAL ARE CAUTIONED THAT  
20 THERE IS POSSIBLE HAZARD FROM TURNING VEHICLES, BUT  
21 PEDESTRIANS MAY PROCEED ACROSS THE ROADWAY IN THE DIRECTION  
22 OF THE SIGNAL INDICATION AND SHALL BE GIVEN THE RIGHT-OF-WAY  
23 BY THE DRIVERS OF ALL VEHICLES.

24 (4) FLASHING "DON'T WALK".--WHENEVER THE "DON'T WALK"  
25 INDICATION IS FLASHING, PEDESTRIANS SHOULD NOT START TO CROSS  
26 THE ROADWAY IN THE DIRECTION OF THE INDICATION, BUT ANY  
27 PEDESTRIAN WHO HAS PARTLY COMPLETED CROSSING DURING THE  
28 "WALK" INDICATION SHOULD PROCEED TO A SIDEWALK OR SAFETY  
29 ZONE, AND ALL DRIVERS OF VEHICLES SHALL YIELD TO THE  
30 PEDESTRIAN.

1 (B) LOCAL REGULATION.--THIS SECTION DOES NOT PROHIBIT A  
2 MUNICIPALITY FROM ESTABLISHING A SUMMARY OFFENSE FOR VIOLATION  
3 OF SUBSECTION (A)(2) OR (4).

4 § 3115. LANE[-DIRECTION]-USE-CONTROL SIGNALS.

5 WHEN LANE[-DIRECTION]-USE-CONTROL SIGNALS ARE PLACED OVER THE  
6 INDIVIDUAL LANES OF A STREET OR HIGHWAY, VEHICULAR TRAFFIC MAY  
7 TRAVEL IN ANY LANE OVER WHICH A GREEN SIGNAL IS SHOWN, BUT SHALL  
8 NOT ENTER OR TRAVEL IN ANY LANE OVER WHICH A RED SIGNAL IS  
9 SHOWN.

10 § 3307. No-passing zones.

11 (a) Establishment and marking.--The department and local  
12 authorities may determine those portions of any highway under  
13 their respective jurisdictions where overtaking and passing or  
14 driving on the left side of the roadway would be especially  
15 hazardous and shall by appropriate signs or markings on the  
16 roadway indicate [the beginning and end of] such zones [and when <—  
17 the signs or markings are in place and clearly visible to an  
18 ordinarily observant person every driver of a vehicle shall obey  
19 the directions of the signs or markings]. [Signs] Except in <—  
20 urban districts, signs shall be placed to indicate the beginning  
21 and end of each no-passing zone.

22 (b) Compliance by drivers.--Where required signs [and] or  
23 markings or both are in place to define a no-passing zone as set  
24 forth in subsection (a) AND ARE CLEARLY VISIBLE TO AN ORDINARILY <—  
25 OBSERVANT PERSON, no driver shall at any time drive on the left  
26 side of the roadway within the no-passing zone or on the left  
27 side of any pavement striping designed to mark a no-passing zone  
28 throughout its length. THIS SUBSECTION DOES NOT PROHIBIT PASSING <—  
29 A PEDALCYCLE OR MOTORIZED PEDALCYCLE IF THE REQUIREMENTS OF  
30 SECTION 3305 (RELATING TO LIMITATIONS ON OVERTAKING ON THE LEFT)



1 ARE SATISFIED.

2 (C) APPLICATION OF SECTION.--THIS SECTION DOES NOT APPLY  
3 UNDER THE CONDITIONS DESCRIBED IN SECTION 3301(A)(2) AND (5)  
4 (RELATING TO DRIVING ON RIGHT SIDE OF ROADWAY).

5 § 3321. VEHICLE APPROACHING OR ENTERING INTERSECTION.

6 (A) GENERAL RULE.--WHEN TWO VEHICLES APPROACH OR ENTER AN  
7 INTERSECTION FROM DIFFERENT HIGHWAYS AT APPROXIMATELY THE SAME  
8 TIME, THE DRIVER OF THE VEHICLE ON THE LEFT SHALL YIELD THE  
9 RIGHT-OF-WAY TO THE VEHICLE ON THE RIGHT.

10 (B) [EXCEPTION] EXCEPTIONS.--THE RIGHT-OF-WAY RULE DECLARED  
11 IN SUBSECTION (A) IS MODIFIED [AT THROUGH HIGHWAYS] AS FOLLOWS  
12 AND OTHERWISE AS STATED IN THIS PART:

13 (1) THE DRIVER OF A VEHICLE APPROACHING A THROUGH  
14 HIGHWAY SHALL YIELD THE RIGHT-OF-WAY TO ALL APPROACHING  
15 VEHICLES FROM EITHER DIRECTION ON THE THROUGH HIGHWAY.

16 (2) THE DRIVER OF A VEHICLE ON THE STEM OF A "T"  
17 INTERSECTION SHALL YIELD THE RIGHT-OF-WAY TO ALL APPROACHING  
18 VEHICLES FROM EITHER DIRECTION ON THE STRAIGHT-THROUGH  
19 HIGHWAY.

20 § 3323. Stop signs and yield signs.

21 \* \* \*

22 (c) Duties at yield signs.--The driver of a vehicle  
23 approaching a yield sign shall in obedience to the sign slow  
24 down to a speed reasonable for the existing conditions and, if  
25 required for safety to stop, shall stop before entering a  
26 crosswalk on the near side of the intersection or, if none, then  
27 at the point nearest the intersecting roadway where the driver  
28 has a view of approaching traffic on the intersecting roadway  
29 before entering. After slowing down or stopping, the driver  
30 shall yield the right-of-way to any vehicle in the intersection

1 or approaching on another roadway so closely as to constitute a  
2 hazard during the time the driver is moving across or within the  
3 intersection of roadways. If a driver is involved in a collision  
4 with a vehicle in the intersection [or junction] of roadways  
5 after driving past a yield sign, the collision shall be deemed  
6 prima facie evidence of failure of the driver to yield the  
7 right-of-way.

8 § 3331. Required position and method of turning.

9 \* \* \*

10 (b) Left turn.--The driver of a vehicle intending to turn  
11 left shall approach the turn in the extreme left-hand lane  
12 lawfully available to traffic moving in the direction of travel  
13 of the vehicle. Whenever practicable, the left turn shall be  
14 made to the left of the center of the intersection and so as to  
15 [leave the intersection or location in] enter the extreme left-  
16 hand lane lawfully available to traffic moving in the same  
17 direction as the vehicle on the roadway being entered.

18 \* \* \*

19 § 3332. LIMITATIONS ON TURNING AROUND.

<—

20 (A) GENERAL RULE.--THE DRIVER OF ANY VEHICLE SHALL NOT TURN  
21 THE VEHICLE SO AS TO PROCEED IN THE OPPOSITE DIRECTION UNLESS  
22 THE MOVEMENT CAN BE MADE IN SAFETY AND WITHOUT INTERFERING WITH  
23 OTHER TRAFFIC.

24 (B) TURNS ON CURVES OR GRADES.--NO VEHICLE SHALL BE TURNED  
25 SO AS TO PROCEED IN THE OPPOSITE DIRECTION UPON ANY CURVE, OR  
26 UPON THE APPROACH TO OR NEAR THE CREST OF A GRADE, WHERE THE  
27 VEHICLE CANNOT BE SEEN BY THE DRIVER OF ANY OTHER VEHICLE  
28 APPROACHING FROM EITHER DIRECTION WITHIN 500 FEET.

29 (C) TURNS PROHIBITED BY TRAFFIC-CONTROL DEVICES.--NO VEHICLE  
30 SHALL BE TURNED SO AS TO PROCEED IN THE OPPOSITE DIRECTION WHERE

1 SUCH TURNS ARE PROHIBITED BY AN OFFICIAL TRAFFIC-CONTROL DEVICE.

2 § 3334. Turning movements and required signals.

3 \* \* \*

4 (b) Signals on turning and starting.--At speeds of [less  
5 than] 35 miles per hour or less, an appropriate signal of  
6 intention to turn right or left shall be given continuously  
7 during not less than the last 100 feet traveled by the vehicle  
8 before turning. The signal shall be given during not less than  
9 the last 300 feet at speeds in excess of 35 miles per hour. The  
10 signal shall also be given prior to entry of the vehicle into  
11 the traffic stream from a parked position.

12 \* \* \*

13 § 3335. Signals by hand and arm or signal lamps.

14 (a) General rule.--Any stop or turn signal shall be given  
15 either by means of the hand and arm or by signal lamps, except  
16 as otherwise provided in subsection (b).

17 (b) Required signals by signal lamps.--Any motor vehicle in  
18 use on a highway shall be equipped with, and required signal  
19 shall be given by, signal lamps when the distance from the  
20 center of the top of the steering post to the left outside limit  
21 of the body, cab or load of the motor vehicle exceeds 24 inches,  
22 or when the distance from the center of the top of the steering  
23 post to the rear limit of the body or load exceeds 14 feet. The  
24 latter measurement shall apply to any single vehicle and to any  
25 combination of vehicles.

26 (c) Exception.--This section does not apply to a motor  
27 vehicle registered as an antique or [classic] historic MOTOR  
28 vehicle which was not originally equipped with signal lamps.

29 § 3342. Vehicles required to stop at railroad crossings.

30 \* \* \*

~~(d) Hazardous substances violations. All prosecutions for violations of this section by drivers of vehicles carrying hazardous substances as determined by the Hazardous Substances Transportation Board shall be brought under the act of November 9, 1965 (P.L. 657, No. 323), known as the "Hazardous Substances Transportation Act," and regulations promulgated thereunder.~~

(B) EXCEPTIONS.--THIS SECTION DOES NOT APPLY AT ANY OF THE FOLLOWING:

(1) ANY RAILROAD GRADE CROSSING AT WHICH TRAFFIC IS CONTROLLED BY A POLICE OFFICER OR FLAGMAN.

(2) ANY RAILROAD GRADE CROSSING AT WHICH TRAFFIC IS REGULATED BY A TRAFFIC CONTROL SIGNAL.

(3) [ANY RAILROAD GRADE CROSSING PROTECTED BY CROSSING GATES OR AN ALTERNATELY FLASHING LIGHT SIGNAL INTENDED TO GIVE WARNING OF THE APPROACH OF A RAILROAD TRAIN.

(4)] ANY RAILROAD GRADE CROSSING AT WHICH AN OFFICIAL TRAFFIC-CONTROL DEVICE GIVES NOTICE THAT THE STOPPING REQUIREMENT IMPOSED BY THIS SECTION DOES NOT APPLY.

(C) REGULATIONS DEFINING VEHICLES SUBJECT TO SECTION.--THE DEPARTMENT SHALL ADOPT SUCH REGULATIONS AS MAY BE NECESSARY DESCRIBING THE VEHICLES WHICH MUST COMPLY WITH THE STOPPING REQUIREMENTS OF THIS SECTION. IN FORMULATING THE REGULATIONS, THE DEPARTMENT SHALL GIVE CONSIDERATION TO THE HAZARDOUS NATURE OF ANY SUBSTANCE CARRIED BY THE VEHICLE AS DETERMINED BY THE HAZARDOUS SUBSTANCES TRANSPORTATION BOARD AND TO THE NUMBER OF PASSENGERS CARRIED BY THE VEHICLE IN DETERMINING WHETHER THE VEHICLE SHALL BE REQUIRED TO STOP. THESE REGULATIONS SHALL BE DEVELOPED IN CONJUNCTION WITH THE PENNSYLVANIA PUBLIC UTILITY COMMISSION [AND THE URBAN MASS TRANSPORTATION AUTHORITY] AND SHALL CORRELATE WITH AND SO FAR AS POSSIBLE CONFORM TO THE

CURRENT REGULATIONS OF THE UNITED STATES DEPARTMENT OF  
TRANSPORTATION.

(D) PROSECUTION UNDER OTHER LAWS.--ALL PROSECUTIONS FOR  
VIOLATIONS OF THIS SECTION BY DRIVERS OF VEHICLES:

(1) CARRYING HAZARDOUS SUBSTANCES AS DETERMINED BY THE  
HAZARDOUS SUBSTANCES TRANSPORTATION BOARD SHALL BE BROUGHT  
UNDER THE ACT OF NOVEMBER 9, 1965 (P.L.657, NO.323), KNOWN AS  
THE "HAZARDOUS SUBSTANCES TRANSPORTATION ACT," AND  
REGULATIONS PROMULGATED THEREUNDER.

(2) REGULATED BY THE PUBLIC UTILITY COMMISSION SHALL BE  
BROUGHT UNDER THE ACT OF MAY 28, 1937 (P.L.1053, NO.286),  
KNOWN AS THE "PUBLIC UTILITY LAW," AND REGULATIONS  
PROMULGATED THEREUNDER.

§ 3345. Meeting or overtaking school bus.

(a) Duty of approaching driver when red signals are  
flashing.--Except as provided in subsection (g), the driver of a  
vehicle meeting or overtaking any school bus stopped on the  
highway shall stop at least ten feet before reaching the school  
bus when the red signal lights on the school bus are flashing.  
The driver shall not proceed until the flashing red signal  
lights are no longer actuated. In no event shall a driver of a  
vehicle resume motion of the vehicle until the school children  
who may have alighted from the school bus have reached a place  
of safety.

(b) Duty of approaching driver when amber signals are  
flashing.--The driver of a vehicle meeting or overtaking any  
school bus shall proceed past the school bus with caution and  
shall be prepared to stop when the amber signal lights are  
flashing.

(c) Use of red signals.--The red visual signals shall be

1 actuated by the driver of every school bus whenever the vehicle  
2 is stopped on the highway for the purpose of receiving or  
3 discharging school children, except as provided in subsections  
4 (e) and (f). The signals shall not be terminated until the  
5 school children who may have alighted from the school bus have  
6 reached a place of safety or until boarding school children have  
7 completed boarding the bus ~~and are seated.~~ THE DRIVER SHALL NOT  
8 ALLOW THE BUS TO RESUME MOTION UNTIL ALL BOARDING CHILDREN ARE  
9 SEATED.

10 (d) Use of amber signals.--The amber visual signals shall be  
11 actuated by the driver of every school bus not more than 300  
12 feet nor less than 150 feet prior to making a stop for the  
13 purpose of receiving or discharging school children and shall  
14 remain in operation until the red visual signals are actuated.  
15 Amber signals shall not be used unless the red visual signals  
16 are to be actuated immediately following.

17 ~~(e) Limitations on use of signals. The visual signals~~  
18 ~~required in the regulations shall not be actuated on streets in~~  
19 ~~urban districts designated by the department or local~~  
20 ~~authorities, at intersections or other places where traffic is~~  
21 ~~controlled by uniformed police officers or appropriately attired~~  
22 ~~persons authorized to direct, control or regulate traffic, or in~~  
23 ~~school bus loading areas designated by the department or local~~  
24 ~~authorities when the bus is entirely off the roadway and~~  
25 ~~shoulder.~~

26 (E) LIMITATIONS ON USE OF SIGNALS.--THE VISUAL SIGNALS  
27 REQUIRED IN THE REGULATIONS SHALL NOT BE ACTUATED [ON]:

28 (1) ON STREETS IN URBAN DISTRICTS DESIGNATED BY THE  
29 DEPARTMENT OR LOCAL AUTHORITIES[, AT].

30 (2) AT INTERSECTIONS OR OTHER PLACES WHERE TRAFFIC IS

1 CONTROLLED BY UNIFORMED POLICE OFFICERS OR APPROPRIATELY  
2 ATTIRED OR EQUIPPED PERSONS AUTHORIZED TO DIRECT, CONTROL OR  
3 REGULATE TRAFFIC[, OR IN].

4 (3) IN SCHOOL BUS LOADING [AREAS DESIGNATED BY THE  
5 DEPARTMENT OR LOCAL AUTHORITIES WHEN THE BUS IS ENTIRELY OFF  
6 THE ROADWAY.] ZONES LOCATED:

7 (I) SO THAT THE SCHOOL BUS IS ENTIRELY OFF THE  
8 ROADWAY AND SHOULDER; OR

9 (II) AT OR NEAR A SCHOOL.

10 (f) Operation for nonschool purposes.--When a school bus is  
11 being operated upon a highway for purposes other than the actual  
12 transportation of school children to or from school or in  
13 connection with school activities, all markings indicating  
14 "SCHOOL BUS" shall be covered or concealed. During such  
15 operation, the flashing visual signals shall not be actuated.

16 (g) Exceptions from stopping requirements.--The driver of a  
17 vehicle upon [a highway with separate roadways] a divided  
18 highway need not stop upon meeting or passing a school bus with  
19 actuated red signal lights which is on [a different roadway] the  
20 opposite side of the divided highway.

21 (h) Loading zones for school children.--Every school  
22 district transporting school children by school bus shall  
23 establish and maintain school bus loading zones at or near all  
24 schools to or from which school children are transported and  
25 [shall establish school bus loading zones] along the highways <—  
26 traversed by school buses in accordance with regulations  
27 promulgated by the department.

28 (i) Mandatory use of loading zones.--Whenever school bus  
29 loading zones have been established at or near a school or along  
30 a highway, it is unlawful for a DRIVER OF A school bus <—

1 [operator] to stop the bus to pick up or discharge school <—  
2 children at any location other than at the loading zones. A list  
3 or map of approved loading zones for the route of the bus shall  
4 be carried by the [operator] DRIVER. <—

5 (J) SCHOOL BUS DEFINED.--AS USED IN THIS SECTION "SCHOOL <—  
6 BUS" INCLUDES BUSES OPERATED BY URBAN MASS TRANSPORTATION  
7 SYSTEMS FOR THE EXCLUSIVE USE OF SCHOOL CHILDREN IN COMPLIANCE  
8 WITH FEDERAL SAFETY STANDARDS AND SAFETY REGULATIONS OF THE  
9 PUBLIC UTILITY COMMISSION AND THE DEPARTMENT AND OTHER MOTOR  
10 VEHICLES WHICH, IN COMPLIANCE WITH FEDERAL SAFETY STANDARDS AND  
11 PUBLIC UTILITY COMMISSION OR DEPARTMENT REGULATIONS, MEET THE  
12 COLOR, IDENTIFICATION AND VISUAL SIGNAL REQUIREMENTS OF SECTION  
13 4552(A) AND (B) (RELATING TO GENERAL REQUIREMENTS FOR SCHOOL  
14 BUSES).

15 [(j)] (K) Penalty.--Any person violating subsection (a) is <—  
16 guilty of a summary offense and shall, upon conviction, be  
17 sentenced to pay a fine of \$100.

18 § 3346. Meeting or overtaking streetcar.

19 Except where a safety zone has been established, the driver  
20 of a vehicle meeting or overtaking any streetcar stopped on the  
21 highway for the purpose of taking on or discharging passengers  
22 shall not pass the streetcar on the side on which passengers are  
23 being taken on or discharged until the streetcar has started and  
24 any passengers who may have alighted have reached a place of  
25 safety.

26 § 3351. Stopping, standing and parking outside business and  
27 residence districts.

28 (a) General rule.--Outside a business or residence district,  
29 no person shall stop, park or stand any vehicle, whether  
30 attended or unattended, upon the roadway when it is practicable



1 to stop, park or stand the vehicle off the roadway. In the event  
2 it is necessary to stop, park or stand the vehicle on the  
3 roadway or any part of the roadway, an unobstructed width of the  
4 highway opposite the vehicle shall be left for the free passage  
5 of other vehicles and the vehicle shall be visible from a  
6 distance of 500 feet in each direction upon the highway.

7 (b) [Exception for disabled vehicles] Exceptions.--

8 (1) [This] NO PERSON SHALL BE PENALIZED UNDER THIS <—  
9 section [and sections] OR SECTION 3353 (relating to <—  
10 prohibitions in specified places) [and] OR 3354 (relating to <—  
11 additional parking regulations) [do not apply to the driver <—  
12 of any] IF THE vehicle [which] is disabled in such a manner <—  
13 and to such an extent that it is impossible to avoid stopping  
14 and temporarily leaving the vehicle in that position.

15 (2) This section does not apply to mail delivery  
16 vehicles MAKING PICKUPS OR DELIVERIES. <—

17 § 3352. Removal of vehicle by or at direction of police.

18 (a) Outside business and residence districts.--Whenever any  
19 police officer finds a vehicle in violation of any of the  
20 provisions of section 3351 (relating to stopping, standing and  
21 parking outside business and residence districts), the officer  
22 may move the vehicle, or cause the vehicle to be moved, or  
23 require the driver or other person in charge of the vehicle to  
24 move the vehicle, to a position off the roadway where the  
25 vehicle will not interfere unduly with the normal movement of  
26 traffic or constitute a safety hazard.

27 (b) Unattended vehicle obstructing traffic.--Any police  
28 officer may remove or cause to be removed to a NEARBY GARAGE OR <—  
29 OTHER NEARBY place of safety any unattended vehicle illegally  
30 left standing upon any highway, bridge, causeway or in any

1 tunnel, in such position or under such circumstances as to  
2 interfere unduly with the normal movement of traffic or  
3 constitute a safety hazard.

4 (c) Removal to garage or place of safety.--Any police  
5 officer may remove or cause to be removed to a nearby garage or  
6 other NEARBY place of safety any vehicle [found upon a highway] <—  
7 under any of the following circumstances:

8 (1) Report has been made that the vehicle has been  
9 stolen or taken without the consent of its owner.

10 (2) The person or persons in charge of the vehicle are  
11 physically unable to provide for the custody or removal of  
12 the vehicle.

13 (3) The person driving or in control of the vehicle is  
14 arrested for an alleged offense for which the officer is  
15 required by law to take the person arrested before an issuing  
16 authority without unnecessary delay.

17 (4) The vehicle is in violation of section 3353  
18 (relating to prohibitions in specified places) except for  
19 overtime parking.

20 (5) The vehicle has been abandoned as defined in this  
21 title. †The officer shall comply with the provisions of <—  
22 subsection (d) and Chapter 73 (relating to abandoned vehicles  
23 and cargos).† <—

24 ~~(d) Procedure.~~ <—

25 ~~(1) If the vehicle has been abandoned and does not fall~~  
26 ~~within the conditions enumerated in subsection (a), (b) or~~  
27 ~~(c)(1), (2), (3) or (4), the officer shall comply with the~~  
28 ~~provisions of subsection (c).~~

29 ~~(2) Unclaimed vehicles shall be disposed of in~~  
30 ~~accordance with Chapter 73 (relating to abandoned vehicles~~

1 ~~and cargos).~~

2 ~~f(d)}~~ ~~(e)~~ Notice to owner prior to removal.-- <—

3 (1) Prior to removal under subsection (c)(5) of [an <—  
4 abandoned] A vehicle WHICH IS ABANDONED UPON A HIGHWAY AND IS <—  
5 NOT IN VIOLATION OF SUBSECTION (B), SECTION 3351(A) (RELATING  
6 TO STOPPING, STANDING AND PARKING OUTSIDE BUSINESS AND  
7 RESIDENCE DISTRICTS) OR SECTION 3353 (RELATING TO  
8 PROHIBITIONS IN SPECIFIED PLACES) bearing registration plate  
9 by which the last registered owner of the vehicle can be  
10 determined, notice shall be sent by certified mail to the  
11 last registered owner of the vehicle informing the owner that  
12 unless the vehicle is moved to a suitable location within  
13 five days of the date notice is mailed, the vehicle will be  
14 removed under this section and held at a suitable facility  
15 where it may be reclaimed by the owner in accordance with the  
16 provisions of section 7306 (relating to payment of costs upon  
17 reclaiming vehicle). If the abandoned motor vehicle does not  
18 bear an identifiable registration plate, the notice may be  
19 secured to the vehicle.

20 (2) If, within the five-day period, the owner so  
21 requests, the owner shall be given an opportunity to explain  
22 to the police officer or department why the owner believes  
23 the vehicle should not be moved. If the police officer or  
24 department determines that the vehicle shall, nonetheless, be  
25 moved, the owner shall be given an additional 48 hours to  
26 move the vehicle or have it moved.

27 (3) The provision for notice set forth in this  
28 subsection is in addition to any other notice requirements  
29 provided in Chapter 73.

30 (E) PAYMENT OF REMOVAL COSTS.--ANY COSTS INCURRED IN <—

1 REMOVING A VEHICLE UNDER THIS SECTION SHALL BE PAID BY THE  
2 DRIVER OR OWNER TO THE PERSON INCURRING THE COSTS OR TO THE  
3 ISSUING AUTHORITY AS COSTS OF PROSECUTION FOR PAYMENT TO THE  
4 PERSON INCURRING THE COSTS.

5 § 3353. Prohibitions in specified places.

6 (a) General rule.--Except when necessary to avoid conflict  
7 with other traffic or to protect the safety of any person or  
8 vehicle or in compliance with law or the directions of a police  
9 officer or official traffic-control device, no person shall:

10 (1) Stop, stand or park a vehicle:

11 (i) On the roadway side of any vehicle stopped or  
12 parked at the edge or curb of a street except that [a <—  
13 pedalcycle may be parked as provided in section  
14 3509(b)(2) (relating to parking)]: ~~and except where such~~ <—  
15 ~~stopping, standing or parking for the purpose of loading~~  
16 ~~or unloading is authorized by local ordinance.~~

17 (A) A PEDALCYCLE MAY BE PARKED AS PROVIDED IN <—  
18 SECTION 3509(B)(2) (RELATING TO PARKING).

19 (B) STANDING OR PARKING FOR THE PURPOSE OF  
20 LOADING OR UNLOADING PERSONS OR PROPERTY MAY BE  
21 AUTHORIZED BY LOCAL ORDINANCE, BUT THE ORDINANCE  
22 SHALL NOT AUTHORIZE STANDING OR PARKING ON STATE  
23 DESIGNATED HIGHWAYS EXCEPT DURING OFF-PEAK TRAFFIC-  
24 FLOW HOURS AS DETERMINED BY DEPARTMENT REGULATIONS.

25 (ii) On a sidewalk except that a pedalcycle may be  
26 parked as provided in section 3509(b)(2).

27 (iii) Within an intersection.

28 (iv) On a crosswalk.

29 (v) Between a safety zone and the adjacent curb  
30 within 30 feet of points on the curb immediately opposite

the ends of a safety zone, unless a different length is indicated by official traffic-control devices.

(vi) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.

(vii) Upon any bridge or other elevated structure upon a highway or within a highway tunnel.

(viii) On any railroad tracks.

(ix) In the area between roadways of a divided highway, including crossovers.

(x) At any place where official [signs] TRAFFIC-CONTROL DEVICES prohibit stopping.

<—

(2) Stand or park a vehicle:

(i) In front of a public or private driveway.

(ii) Within 15 feet of a fire hydrant.

(iii) Within 20 feet of a crosswalk at an intersection.

(iv) Within 30 feet [upon] OF the approach to any flashing signal, stop sign, yield sign or traffic-control signal located at the [site] SIDE of a roadway.

<—

<—

(v) Within 20 feet of the driveway entrance to any fire station or, when [properly sign posted, on the side of a street opposite the entrance to any fire station within 75 feet of the entrance.] signs are duly posted on the opposite side of the street, within 75 feet of the points immediately opposite the intersections of the sides of the driveway entrance with the curb line.

(vi) Where the vehicle would prevent the free movement of a streetcar.

(vii) On a limited access highway unless authorized

by official traffic-control devices.

(viii) At any place where official [signs] TRAFFIC-  
CONTROL DEVICES prohibit standing.

(3) Park a vehicle:

(i) Within 50 feet of the nearest rail of a railroad  
crossing.

(ii) At any place where official [signs] TRAFFIC-  
CONTROL DEVICES prohibit parking.

\* \* \*

~~(e) Penalty. Any person violating any provision of this  
section is guilty of a summary offense and shall, upon  
conviction, be sentenced to pay a fine of not more than \$15.~~

(B) UNATTENDED VEHICLE ON PUBLIC OR PRIVATE PROPERTY.--NO  
PERSON SHALL PARK OR LEAVE UNATTENDED A VEHICLE ON PUBLIC OR  
PRIVATE PROPERTY WITHOUT THE CONSENT OF THE OWNER OR OTHER  
PERSON IN CONTROL OR POSSESSION OF THE PROPERTY EXCEPT IN THE  
CASE OF EMERGENCY OR DISABLEMENT OF THE VEHICLE, IN WHICH CASE  
THE OPERATOR SHALL ARRANGE FOR THE REMOVAL OF THE VEHICLE AS  
SOON AS POSSIBLE.

(C) PROPERTY OWNER MAY REMOVE VEHICLE.--[THE OWNER OR OTHER  
PERSON IN CHARGE OR POSSESSION OF ANY PROPERTY ON WHICH A  
VEHICLE IS PARKED OR LEFT UNATTENDED IN VIOLATION OF THE  
PROVISIONS OF SUBSECTION (B) MAY REMOVE OR HAVE REMOVED THE  
VEHICLE AT THE REASONABLE EXPENSE OF THE OWNER OF THE VEHICLE.]

(1) THE OWNER OR OTHER PERSON IN CHARGE OR POSSESSION OF  
ANY PROPERTY ON WHICH A VEHICLE IS PARKED OR LEFT UNATTENDED  
IN VIOLATION OF THE PROVISIONS OF SUBSECTION (B) MAY HAVE A  
SALVOR OR TOWER REMOVE THE VEHICLE AT THE REASONABLE EXPENSE  
OF THE OWNER OR REGISTRANT OF THE VEHICLE IF THE PROPERTY IS:

(I) PRIVATE AND USED FOR PARKING EXCLUSIVELY IN

1 CONNECTION WITH A DWELLING OR DWELLINGS OR NOT OPEN TO  
2 USE BY MOTOR VEHICLES.

3 (II) OPEN TO THE PUBLIC OR USED FOR PARKING WITHOUT  
4 CHARGE AND POSTED IN ACCORDANCE WITH DEPARTMENT  
5 REGULATIONS.

6 (III) USED FOR PARKING WITH CHARGE AND POSTED IN  
7 ACCORDANCE WITH DEPARTMENT REGULATIONS AND THE VEHICLE  
8 HAS REMAINED ON THE PROPERTY FOR MORE THAN 12 HOURS. ANY  
9 VEHICLE PARKED OR LEFT UNATTENDED ON SUCH PROPERTY MAY BE  
10 ASSESSED A PENALTY IN ADDITION TO TOWING CHARGES, IF ANY,  
11 OF NOT MORE THAN THE REGULAR CHARGE FOR PARKING 12 HOURS  
12 OR \$15, WHICHEVER IS LESS.

13 (2) ANY SALVOR OR TOWER REMOVING A VEHICLE PURSUANT TO  
14 PARAGRAPH (1) SHALL IMMEDIATELY NOTIFY THE POLICE HAVING  
15 JURISDICTION OF THE PLACE WHERE THE VEHICLE WAS FOUND OF THE  
16 NEW LOCATION OF THE VEHICLE.

17 (3) NO STORAGE COSTS SHALL BE ASSESSED PURSUANT TO  
18 PARAGRAPH (1) FOR THE FIRST 24 HOURS OF POSSESSION OF A  
19 VEHICLE.

20 (D) RESTRICTIONS BY APPROPRIATE AUTHORITIES.--THE DEPARTMENT  
21 ON STATE-DESIGNATED HIGHWAYS AND LOCAL AUTHORITIES ON ANY  
22 HIGHWAY WITHIN THEIR BOUNDARIES MAY BY ERECTION OF OFFICIAL  
23 TRAFFIC-CONTROL DEVICES PROHIBIT, LIMIT OR RESTRICT STOPPING,  
24 STANDING OR PARKING OF VEHICLES ON ANY HIGHWAY [WHERE  
25 ENGINEERING AND TRAFFIC STUDIES INDICATE THAT STOPPING, STANDING  
26 OR PARKING WOULD CONSTITUTE A SAFETY HAZARD OR WHERE THE  
27 STOPPING, STANDING OR PARKING OF VEHICLES WOULD UNDULY INTERFERE  
28 WITH THE FREE MOVEMENT OF TRAFFIC]:

29 (1) WHERE ENGINEERING AND TRAFFIC STUDIES INDICATE THAT  
30 STOPPING, STANDING OR PARKING WOULD CONSTITUTE A SAFETY

HAZARD OR WOULD UNDULY INTERFERE WITH THE FREE MOVEMENT OF  
TRAFFIC; OR

(2) WHERE SPECIAL CONDITIONS MAKE IT NECESSARY TO KEEP A  
HIGHWAY FREE OF PARKED VEHICLES FOR PUBLIC ACTIVITIES SUCH AS  
STREET CLEANING OR SNOW REMOVAL OR TO INSURE REASONABLE  
AVAILABILITY OF ON-STREET PARKING FACILITIES.

(E) PENALTY.--

(1) ANY PERSON VIOLATING ANY PROVISION OF THIS SECTION  
IS GUILTY OF A SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE  
SENTENCED TO PAY A FINE OF NOT MORE THAN \$15.

(2) THE OWNER OR OPERATOR OF A GARAGE OR OTHER AREA  
PROVIDED FOR PARKING WHO REMOVES A VEHICLE CONTRARY TO THE  
PROVISIONS OF THIS SECTION IS GUILTY OF A SUMMARY OFFENSE AND  
SHALL, UPON CONVICTION, BE SENTENCED TO PAY A FINE OF \$25  
PLUS THE COSTS INCURRED BY THE OWNER IN RECOVERING THEIR  
VEHICLE.

(3) ANY COSTS INCURRED IN REMOVING A VEHICLE UNDER THIS  
SECTION SHALL BE PAID BY THE DRIVER OR OWNER TO THE PERSON  
INCURRING THE COSTS OR TO THE ISSUING AUTHORITY AS COSTS OF  
PROSECUTION FOR PAYMENT TO THE PERSON INCURRING THE COSTS.

§ 3354. Additional parking regulations.

\* \* \*

(d) Handicapped persons and disabled veterans.--

(1) [When a motor vehicle bearing registration plates  
issued to handicapped persons or disabled veterans as  
prescribed in this title is being operated by or for the  
transportation of the handicapped person or disabled veteran,  
the driver shall be relieved of any liability for parking for  
a period of 60 minutes in excess of the legal parking period  
permitted by local authorities except where local ordinances

<—



1 or police regulations provide for the accommodation of heavy  
2 traffic during morning, afternoon or evenings hours.] ANY <—  
3 PERSON WHOSE VEHICLE BEARS A REGISTRATION PLATE ISSUED UNDER  
4 SECTION 1338 (RELATING TO HANDICAPPED PLATE) SHALL BE ALLOWED  
5 TO PARK IN ANY PUBLIC METERED SPACE WITHOUT PAYING A METER  
6 FEE AND SHALL BE EXEMPT FROM ANY TIME RESTRICTION IN ANY  
7 PUBLIC PARKING ZONE IN WHICH PARKING TIME IS NORMALLY LIMITED  
8 SUBJECT TO THE FOLLOWING:

9 (I) THE VEHICLE SHALL NOT REMAIN IN THE SAME PARKING  
10 SPACE FOR MORE THAN 24 HOURS.

11 (II) UPON REQUEST OF THE APPROPRIATE AUTHORITIES,  
12 THE VEHICLE SHALL BE MOVED TO FACILITATE SAFETY OR  
13 REPAIRS AND MAINTENANCE (EXCEPT CLEANING) TO THE PARKING  
14 AREA.

15 (2) At the request of any handicapped person or disabled  
16 veteran, local authorities may erect on the highway as close  
17 as possible to their place of residence a sign or signs  
18 indicating that that place is reserved for a handicapped  
19 person or disabled veteran, that no parking is allowed there  
20 by others, and that any unauthorized person parking there  
21 shall be subject to a fine.

22 (3) NO PERSON EXCEPT A HANDICAPPED PERSON SHALL PARK A <—  
23 MOTOR VEHICLE ON PRIVATE OR PUBLIC PROPERTY IN ANY PARKING  
24 SPACE RESERVED FOR A HANDICAPPED PERSON SO DESIGNATED BY  
25 POSTING A SIGN APPROVED BY THE DEPARTMENT. EXCEPT FOR PARKING  
26 SPACES ON PUBLIC STREETS, PARKING SPACES RESERVED FOR  
27 HANDICAPPED PERSONS SITUATED ON PUBLIC OR PRIVATE PROPERTY  
28 SHALL:

29 (I) BE 12 FEET WIDE.

30 (II) SHALL BE LOCATED IN SUCH A MANNER THAT

1        WHEELCHAIR USERS WILL NOT BE ENDANGERED BY PARKING OR  
2        MOVING MOTOR VEHICLES.

3            (III) SHALL NOT BE PLACED ON A GRADIENT SO AS TO  
4        CAUSE LOADING OR UNLOADING DIFFICULTIES FOR WHEELCHAIR  
5        USERS.

6            (IV) SHALL BE IN CLOSE PROXIMITY TO BUILDING RAMPS  
7        AND ENTRANCES.

8            (V) SHALL BE MARKED BY UPRIGHT SIGNS EASILY VISIBLE  
9        FROM THE SEAT OF A MOTOR VEHICLE.

10   THE SIGN OR SIGNS INDICATING THAT PARKING SPACE IS RESERVED FOR  
11   A HANDICAPPED PERSON SHALL CONFORM TO DEPARTMENT STANDARDS.

12        \* \* \*

13   § 3355. CONSENT OR DIRECTION TO MOVE VEHICLE.

<—

14        (A) GENERAL RULE.--NO PERSON SHALL MOVE A VEHICLE WITHOUT  
15   THE CONSENT OF THE OWNER OR REGISTRANT OR A PERSON AUTHORIZED BY  
16   THE OWNER OR REGISTRANT UNLESS DIRECTED BY A POLICE OFFICER IN  
17   ACCORDANCE WITH SECTION 3352 (RELATING TO REMOVAL OF VEHICLE BY  
18   OR AT DIRECTION OF POLICE) EXCEPT THAT A SALVOR OR TOWER MAY  
19   REMOVE A VEHICLE FROM PRIVATE PROPERTY IN ACCORDANCE WITH  
20   SECTION 3353(C) (RELATING TO PROHIBITIONS IN SPECIFIED PLACES)  
21   WITHOUT THE DIRECTION OF A POLICE OFFICER. A TOWER SHALL NOT  
22   MOVE AN ABANDONED VEHICLE UNLESS A SALVOR IS NOT AVAILABLE.

23        (B) IMPLIED CONSENT.--EVERY DRIVER, OWNER AND REGISTRANT OF  
24   A VEHICLE IN THIS COMMONWEALTH SHALL BE DEEMED TO HAVE GIVEN  
25   CONSENT TO HAVE THE VEHICLE REMOVED AT THEIR REASONABLE EXPENSE  
26   AND DETAINED TO INSURE PAYMENT IF THE VEHICLE IS REMOVED UNDER  
27   THE PROVISIONS OF SECTION 3352(A), (B) OR (C) OR SECTION  
28   3353(C).

29   § 3356. AUTHORIZATION OF TOWERS.

30        (A) GENERAL RULE.--THE DEPARTMENT SHALL AUTHORIZE AND ISSUE

1 A CERTIFICATE OF AUTHORIZATION TO EVERY TOWER THAT COMPLIES WITH  
2 REGULATIONS ADOPTED BY THE DEPARTMENT.

3 (B) PLACE OF BUSINESS.--EVERY TOWER SHALL HAVE AND MAINTAIN  
4 AN ESTABLISHED PLACE OF BUSINESS.

5 (C) BOND REQUIRED.--

6 (1) EACH TOWER SHALL FURNISH AND MAINTAIN A BOND  
7 INDEMNIFYING THE PUBLIC AND THE DEPARTMENT IN THE AMOUNT OF  
8 \$5,000.

9 (2) A TOWER WHO HAS FILED A BOND WITH THE COMMONWEALTH  
10 IS NOT REQUIRED TO FILE A SEPARATE BOND UNDER THIS SECTION IF  
11 THE BOND ALREADY ON FILE WITH THE COMMONWEALTH IS COMPARABLE  
12 IN AMOUNT AND COVERAGE TO THE BOND REQUIRED UNDER THIS  
13 SECTION.

14 § 3363. Alteration of maximum limits.

15 The department or local authorities on highways under their  
16 respective jurisdictions, upon the basis of an engineering and  
17 traffic [investigation] study, may determine that the maximum  
18 speed permitted under this subchapter is greater or less than is  
19 reasonable and safe under the conditions found to exist upon any  
20 such highway or part thereof and establish a reasonable and safe  
21 maximum limit. The maximum speed limit may be made effective at  
22 all times or at times indicated and may vary [for different <—  
23 weather] ACCORDING TO conditions [and other factors] bearing on <—  
24 safe speeds. No maximum speed greater than 55 miles per hour  
25 shall be established under this section.

26 § 3364. Minimum speed regulation.

27 \* \* \*

28 (c) Establishment of minimum speed limits.--At any other  
29 time when the department or local authorities under their  
30 respective jurisdictions determine on the basis of an

1 engineering and traffic [investigation] study that slow speeds  
2 on any highway or part of a highway impede the normal and  
3 reasonable movement of traffic, the department or such local  
4 authority may determine and declare a minimum speed limit below  
5 which no person shall drive a vehicle except when necessary for  
6 safe operation or in compliance with law. The minimum limit  
7 shall be effective when posted upon appropriate fixed or  
8 variable signs.

9 § 3365. Special speed limitations.

10 (a) Bridges and elevated structures.--

11 (1) No person shall drive a vehicle over any bridge or  
12 other elevated structure constituting a part of a highway at  
13 a speed which is greater than the maximum speed which can be  
14 maintained with safety to the bridge or structure when the  
15 structure is posted with signs as provided in this  
16 subsection.

17 (2) The department and local authorities on highways  
18 under their respective jurisdictions may conduct [a traffic  
19 and engineering investigation] an engineering and traffic  
20 study of any bridge or other elevated structure constituting  
21 a part of a highway, and if it shall thereupon find that the  
22 structure cannot safely withstand vehicles traveling at the  
23 speed otherwise permissible under this title, the department  
24 or local authority shall determine and declare the maximum  
25 speed of vehicles which the structure can safely withstand,  
26 and shall cause or permit official traffic-control devices  
27 stating the maximum speed to be erected and maintained before  
28 each end of the structure.

29 (3) Upon the trial of any person charged with a  
30 violation of this subsection, proof of the determination of

1 the maximum speed by the department and the existence of the  
2 signs shall constitute conclusive evidence of the maximum  
3 speed which can be maintained with safety to the bridge or  
4 structure.

5 \* \* \*

6 (B) SCHOOL ~~AND CONSTRUCTION~~ ZONES AND CONSTRUCTION OR  
7 MAINTENANCE AREAS.--

8 (1) WHEN PASSING A SCHOOL ZONE AS DEFINED AND  
9 ESTABLISHED UNDER REGULATIONS OF THE DEPARTMENT, NO PERSON  
10 SHALL DRIVE A VEHICLE AT A SPEED GREATER THAN [THAT  
11 ESTABLISHED FOR THE PARTICULAR SCHOOL ZONE] 15 MILES PER  
12  HOUR. AN OFFICIAL TRAFFIC-CONTROL DEVICE SHALL INDICATE THE  
13 BEGINNING AND END OF EACH SCHOOL ZONE TO TRAFFIC APPROACHING  
14 IN EACH DIRECTION. SUCH TRAFFIC-CONTROL DEVICES SHALL NOT BE  
15 OPERATED ON DAYS WHEN SCHOOL IS NOT IN SESSION. ESTABLISHMENT  
16 OF A SCHOOL ZONE ON A STATE HIGHWAY, INCLUDING ITS  
17 LOCATION[, ] AND HOURS OF OPERATION [AND SPEED LIMIT], SHALL  
18 BE APPROVED BY THE DEPARTMENT.

19 ~~(2) NO PERSON SHALL DRIVE A VEHICLE AT A SPEED IN EXCESS~~  
20 ~~OF 25 MILES PER HOUR, OR AS OTHERWISE INDICATED, WHEN PASSING~~  
21 ~~A CONSTRUCTION ZONE, SO MARKED IN ACCORDANCE WITH DEPARTMENT~~  
22 ~~REGULATIONS.~~

23 (2) NO PERSON SHALL DRIVE A VEHICLE WITHIN A HIGHWAY OR  
24 UTILITY CONSTRUCTION MAINTENANCE AREA AT A SPEED IN EXCESS OF  
25 THE SPEED LIMIT ESTABLISHED FOR SUCH AREA IN ACCORDANCE WITH  
26 DEPARTMENT REGULATIONS.

27 (c) Hazardous grades.--The department and local authorities  
28 on highways under their respective jurisdictions may conduct  
29 [traffic and engineering investigations] engineering and traffic  
30 studies on grades which are considered hazardous. If the grade

1 is determined to be hazardous, vehicles having a gross weight in  
2 excess of a determined safe weight may be further limited as to  
3 maximum speed and may be required to stop before proceeding  
4 downhill. The restrictions shall be indicated by official  
5 traffic-control devices erected and maintained according to  
6 regulations established by the department.

7 \* \* \*

8 § 3367. Racing on highways.

9 \* \* \*

10 (b) General rule.--[No person shall drive a vehicle on a  
11 highway in any race, speed competition or contest, drag race or  
12 acceleration contest, test of physical endurance, exhibition of  
13 speed or acceleration, or for the purpose of making a speed  
14 record, and no person shall in any manner participate in any  
15 such race, competition, contest, test or exhibition] No person  
16 shall, while on a highway, drive a motor vehicle or in any other <—  
17 manner participate in any race, drag race OR speed competition, <—  
18 contest or SPEED CONTEST OR SPEED exhibition ON A HIGHWAY. <—

19 \* \* \*

20 § 3368. SPEED TIMING DEVICES. <—

21 \* \* \*

22 (D) APPROVAL AND TESTING OF MECHANICAL, ELECTRICAL AND  
23 ELECTRONIC DEVICES.--

24 (1) ALL MECHANICAL[, ELECTRICAL OR ELECTRONIC] DEVICES  
25 SHALL BE OF A TYPE APPROVED BY THE [DEPARTMENT,] DEPARTMENT  
26 OF AGRICULTURE WHICH SHALL APPOINT STATIONS FOR CALIBRATING  
27 AND TESTING THE DEVICES AND MAY PRESCRIBE REGULATIONS AS TO  
28 THE MANNER IN WHICH CALIBRATIONS AND TESTS SHALL BE MADE.

29 (2) ALL ELECTRICAL OR ELECTRONIC DEVICES SHALL BE OF A  
30 TYPE APPROVED BY THE DEPARTMENT OF TRANSPORTATION WHICH SHALL

1 APPOINT STATIONS FOR CALIBRATING AND TESTING THE DEVICES AND  
2 MAY PRESCRIBE REGULATIONS AS TO THE MANNER IN WHICH  
3 CALIBRATIONS AND TESTS SHALL BE MADE.

4 (3) THE DEVICES SHALL HAVE BEEN TESTED FOR ACCURACY  
5 WITHIN A PERIOD OF 60 DAYS PRIOR TO THE ALLEGED VIOLATION. A  
6 CERTIFICATE FROM THE STATION SHOWING THAT THE CALIBRATION AND  
7 TEST WERE MADE WITHIN THE REQUIRED PERIOD, AND THAT THE  
8 DEVICE WAS ACCURATE, SHALL BE COMPETENT AND PRIMA FACIE  
9 EVIDENCE OF THOSE FACTS IN EVERY PROCEEDING IN WHICH A  
10 VIOLATION OF THIS TITLE IS CHARGED.

11 (E) MEASURED STRETCH OF HIGHWAY.--THE RATE OF SPEED OF ANY  
12 VEHICLE MAY BE TIMED ON ANY HIGHWAY BY NOT LESS THAN TWO POLICE  
13 OFFICERS, ONE OF WHOM SHALL HAVE BEEN STATIONED AT EACH END OF A  
14 MEASURED STRETCH NOT LESS THAN ONE-EIGHTH OF A MILE IN LENGTH.  
15 NO PERSON SHALL BE CONVICTED UNDER THIS SUBSECTION ON THE  
16 UNSUPPORTED EVIDENCE OF ONE POLICE OFFICER.

17 § 3502. Penalty for violation [of subchapter] involving  
18 pedalcycle.

19 Any person [violating any provision of this subchapter]  
20 operating a pedalcycle in violation of this title is guilty of a  
21 summary offense and shall, upon conviction, be sentenced to pay  
22 a fine of \$10.

23 § 3504. Riding on pedalcycles.

24 (a) Use of seat by operator.--A person propelling a  
25 pedalcycle shall not ride other than upon or astride a permanent  
26 and regular seat attached to the pedalcycle.

27 (b) Number of riders.--No pedalcycle shall be used to carry  
28 more persons at one time than the number for which the  
29 pedalcycle is designed [and] or equipped except that an adult  
30 rider may carry a child securely attached to the rider in a back

1 pack or sling.

2 § 3505. Riding on roadways and pedalcycle paths.

3 \* \* \*

4 (e) Limited access highways.--No pedalcycle shall be  
5 operated on any limited access highway unless a pedalcycle path  
6 has been provided as part of the highway.

7 § 3507. Lamps and other equipment on pedalcycles.

8 (a) Lamps and reflectors.--Every pedalcycle when in use  
9 between sunset and sunrise shall be equipped on the front with a  
10 lamp which emits a white light visible from a distance of at  
11 least 500 feet to the front and with a red reflector on the rear  
12 of a type approved by the department which shall be visible  
13 [from all distances from 100 feet to] FOR 600 feet to the rear <—  
14 and with [an amber] A reflector [on] VISIBLE FROM each side or <—  
15 retroreflective tire sidewalls. A lamp emitting a red light  
16 visible from a distance of 500 feet to the rear may be used in  
17 addition to the red reflector. A lamp worn by the operator of a  
18 pedalcycle shall comply with the requirements of this subsection  
19 if the lamp can be seen at the distances specified. All lamps  
20 and reflectors shall be of a type approved by the department.

21 \* \* \* <—

22 (B) AUDIBLE SIGNAL DEVICES.--A PEDALCYCLE MAY BE EQUIPPED <—  
23 WITH A DEVICE, OTHER THAN A SIREN OR WHISTLE, CAPABLE OF GIVING  
24 [A SIGNAL AUDIBLE FOR A DISTANCE OF AT LEAST 100 FEET EXCEPT  
25 THAT A PEDALCYCLE SHALL NOT BE EQUIPPED WITH NOR SHALL ANY PERSON  
26 USE UPON A PEDALCYCLE ANY SIREN] AN AUDIBLE SIGNAL.

27 (C) BRAKES.--EVERY PEDALCYCLE SHALL BE EQUIPPED WITH A  
28 BRAKING SYSTEM WHICH WILL STOP THE PEDALCYCLE IN 15 FEET FROM AN  
29 INITIAL SPEED OF 15 MILES PER HOUR ON A DRY, LEVEL AND CLEAN  
30 PAVEMENT.



1 § 3508. PEDALCYCLES ON SIDEWALKS AND PEDALCYCLE PATHS.

2 (A) RIGHT-OF-WAY TO PEDESTRIANS.--A PERSON RIDING A  
3 PEDALCYCLE UPON A SIDEWALK OR PEDALCYCLE PATH USED BY  
4 PEDESTRIANS SHALL YIELD THE RIGHT-OF-WAY TO ANY PEDESTRIAN AND  
5 SHALL GIVE AN AUDIBLE SIGNAL, WHICH MAY BE A VOCAL SIGNAL,  
6 BEFORE OVERTAKING AND PASSING A PEDESTRIAN.

7 (B) BUSINESS DISTRICTS.--A PERSON SHALL NOT RIDE A  
8 PEDALCYCLE UPON A SIDEWALK IN A BUSINESS DISTRICT UNLESS  
9 PERMITTED BY OFFICIAL TRAFFIC-CONTROL DEVICES, NOR WHEN A USABLE  
10 PEDALCYCLE-ONLY LANE HAS BEEN PROVIDED ADJACENT TO THE SIDEWALK.

11 § 3522. Riding on motorcycles.

12 (a) Use of seat by operator and passengers.--A person  
13 operating a motorcycle shall ride only upon the permanent and  
14 regular seat attached to the motorcycle, and the operator shall  
15 not carry any other person nor shall any other person ride on a  
16 motorcycle unless the motorcycle is designed or adapted to carry  
17 more than one person, in which event a passenger may ride upon  
18 the permanent and regular seat if designed for two persons, or  
19 upon another seat firmly attached to the motorcycle at the rear  
20 or side of the operator. In no event shall a passenger sit in  
21 front of the operator of the motorcycle.

22 \* \* \*

23 § 3523. OPERATING MOTORCYCLES ON ROADWAYS LANED FOR TRAFFIC. <—

24 (A) RIGHT TO USE OF LANE.--ALL MOTORCYCLES ARE ENTITLED TO  
25 FULL USE OF A LANE AND NO MOTOR VEHICLE SHALL BE DRIVEN IN SUCH  
26 A MANNER AS TO DEPRIVE ANY MOTORCYCLE OF THE FULL USE OF A LANE.

27 (B) OVERTAKING AND PASSING.--THE OPERATOR OF A MOTORCYCLE  
28 SHALL NOT OVERTAKE AND PASS IN THE SAME LANE OCCUPIED BY THE  
29 VEHICLE BEING OVERTAKEN.

30 (C) OPERATION BETWEEN LANES OR VEHICLES.--NO PERSON SHALL

1 OPERATE A MOTORCYCLE BETWEEN LANES OF TRAFFIC OR BETWEEN  
2 ADJACENT LINES OR ROWS OF VEHICLES.

3 (D) LIMITATION ON OPERATING ABREAST.--MOTORCYCLES SHALL NOT  
4 BE OPERATED MORE THAN TWO ABREAST IN A SINGLE LANE.

5 (E) LIMITED ACCESS HIGHWAYS.--NO MOTORIZED PEDALCYCLE SHALL  
6 BE OPERATED ON ANY LIMITED ACCESS HIGHWAY OR ON ANY HIGHWAY  
7 WHERE THERE IS A POSTED MINIMUM SPEED.

8 (F) EXCEPTION FOR POLICE OFFICERS.--SUBSECTIONS (B) AND (C)  
9 DO NOT APPLY TO POLICE OFFICERS IN THE PERFORMANCE OF THEIR  
10 OFFICIAL DUTIES.

11 § 3525. Protective equipment for motorcycle riders.

12 (a) Protective headgear.--[No person ~~holding a learner's~~ <—  
13 ~~permit or a junior driver's license~~ shall operate for ride] ANY <—  
14 PERSON UNDER 18 YEARS OF AGE WHO DRIVES OR RIDES upon† a <—  
15 motorcycle for a motor-driven cycle (†other than a motorized <—  
16 pedalcycle†)† [unless he is wearing] SHALL WEAR protective <—  
17 headgear which complies with standards established by the  
18 department.

19 (B) EYE-PROTECTIVE DEVICES.--NO PERSON SHALL OPERATE OR RIDE <—  
20 UPON A MOTORCYCLE OTHER THAN A MOTORIZED PEDALCYCLE UNLESS HE IS  
21 WEARING AN EYE-PROTECTIVE DEVICE OF A TYPE APPROVED BY THE  
22 DEPARTMENT

23 \* \* \*

24 § 3541. OBEDIENCE OF PEDESTRIANS TO TRAFFIC-CONTROL [DEVICES  
25 AND REGULATIONS] PERSONNEL AND SIGNALS.

26 (A) [TRAFFIC-CONTROL DEVICES] PERSONS DIRECTING TRAFFIC.--A  
27 PEDESTRIAN SHALL OBEY THE INSTRUCTIONS OF A POLICE OFFICER OR  
28 OTHER APPROPRIATELY ATTIRED OR EQUIPPED PERSON AUTHORIZED TO  
29 DIRECT, CONTROL OR REGULATE TRAFFIC.

30 (B) TRAFFIC AND PEDESTRIAN[-CONTROL] SIGNALS.--LOCAL

1 AUTHORITIES BY ORDINANCE MAY REQUIRE PEDESTRIANS TO OBEY TRAFFIC  
2 AND PEDESTRIAN[-CONTROL] SIGNALS AS PROVIDED IN SECTIONS 3112  
3 (RELATING TO TRAFFIC-CONTROL SIGNALS) AND 3113 (RELATING TO  
4 PEDESTRIAN[-CONTROL] SIGNALS).

5 § 3543. PEDESTRIANS CROSSING AT OTHER THAN CROSSWALKS.

6 (A) GENERAL RULE.--EVERY PEDESTRIAN CROSSING A ROADWAY AT  
7 ANY POINT OTHER THAN WITHIN A CROSSWALK AT AN INTERSECTION OR  
8 ANY MARKED CROSSWALK [SHALL] SHOULD YIELD THE RIGHT-OF-WAY TO  
9 ALL VEHICLES UPON THE ROADWAY.

10 (B) AT PEDESTRIAN TUNNEL OR OVERHEAD CROSSING.--ANY  
11 PEDESTRIAN CROSSING A ROADWAY AT A POINT WHERE A PEDESTRIAN  
12 TUNNEL OR OVERHEAD PEDESTRIAN CROSSING HAS BEEN PROVIDED [SHALL]  
13 SHOULD YIELD THE RIGHT-OF-WAY TO ALL VEHICLES UPON THE ROADWAY.

14 (C) BETWEEN CONTROLLED INTERSECTIONS IN URBAN DISTRICT.--  
15 BETWEEN ADJACENT INTERSECTIONS IN URBAN DISTRICTS AT WHICH  
16 TRAFFIC-CONTROL SIGNALS ARE IN OPERATION PEDESTRIANS [SHALL]  
17 SHOULD NOT CROSS AT ANY PLACE EXCEPT IN A MARKED CROSSWALK.

18 (D) CROSSING INTERSECTION DIAGONALLY.--NO PEDESTRIAN [SHALL]  
19 SHOULD CROSS A ROADWAY INTERSECTION DIAGONALLY UNLESS AUTHORIZED  
20 BY OFFICIAL TRAFFIC-CONTROL DEVICES OR AT THE DIRECTION OF A  
21 POLICE OFFICER OR OTHER APPROPRIATELY ATTIRED PERSON AUTHORIZED  
22 TO DIRECT, CONTROL OR REGULATE TRAFFIC. WHEN AUTHORIZED TO CROSS  
23 DIAGONALLY, PEDESTRIANS SHALL CROSS ONLY IN ACCORDANCE WITH THE  
24 SIGNAL PERTAINING TO THE CROSSING MOVEMENTS.

25 (E) LOCAL REGULATION.--THIS SECTION DOES NOT PROHIBIT A  
26 MUNICIPALITY FROM ESTABLISHING A SUMMARY OFFENSE FOR VIOLATION  
27 OF THIS SECTION.

28 § 3544. PEDESTRIANS WALKING ALONG OR ON HIGHWAYS.

29 \* \* \*

30 (E) LIMITED ACCESS HIGHWAYS.--EXCEPT IN EMERGENCY

1 SITUATIONS, PEDESTRIANS ARE PROHIBITED FROM THE RIGHT-OF-WAY OF  
2 A LIMITED ACCESS HIGHWAY.

3 § 3549. BLIND PEDESTRIANS.

4 (A) GENERAL RULE.--THE DRIVER OF A VEHICLE SHALL YIELD THE  
5 RIGHT-OF-WAY TO ANY TOTALLY OR PARTIALLY BLIND PEDESTRIAN  
6 CARRYING A CLEARLY VISIBLE WHITE CANE OR ACCOMPANIED BY A  
7 [GUIDE] DOG GUIDE AND SHALL TAKE SUCH PRECAUTIONS AS MAY BE  
8 NECESSARY TO AVOID INJURING OR ENDANGERING THE PEDESTRIAN AND,  
9 IF NECESSARY, SHALL STOP THE VEHICLE IN ORDER TO PREVENT INJURY  
10 OR DANGER TO THE PEDESTRIAN.

11 (B) EFFECT OF ABSENCE OF CANE OR DOG.--THIS SECTION SHALL  
12 NOT BE CONSTRUED TO DEPRIVE A TOTALLY OR PARTIALLY BLIND  
13 PEDESTRIAN NOT CARRYING A CANE OR NOT BEING GUIDED BY A DOG OF  
14 THE RIGHTS AND PRIVILEGES CONFERRED BY LAW UPON PEDESTRIANS  
15 CROSSING STREETS OR HIGHWAYS, NOR SHALL THE FAILURE OF A TOTALLY  
16 OR PARTIALLY BLIND PEDESTRIAN TO CARRY A CANE OR TO BE GUIDED BY  
17 A [GUIDE] DOG GUIDE UPON THE STREETS, HIGHWAYS OR SIDEWALKS OF  
18 THIS COMMONWEALTH BE HELD TO CONSTITUTE CONTRIBUTORY NEGLIGENCE  
19 IN AND OF ITSELF.

20 § 3550. PEDESTRIANS UNDER INFLUENCE OF ALCOHOL OR CONTROLLED  
21 SUBSTANCE.

22 A PEDESTRIAN WHO IS UNDER THE INFLUENCE OF ALCOHOL OR ANY  
23 CONTROLLED SUBSTANCE TO A DEGREE WHICH RENDERS THE PEDESTRIAN A  
24 HAZARD SHALL NOT WALK OR BE UPON A HIGHWAY EXCEPT ON A SIDEWALK  
25 OR EXCEPT TO CROSS A HIGHWAY WITHIN A CROSSWALK AT AN  
26 INTERSECTION OR WITHIN A MARKED CROSSWALK.

27 § 3706. Riding in [house] CERTAIN trailers, mobile homes or <—  
28 boats on trailers.

29 (a) General rule.--No person or persons shall occupy a house  
30 trailer, recreational trailer, except as authorized in <—

1 ~~subsection (c)~~, mobile home or boat on a trailer while it is  
2 being moved upon a highway.

3 (b) Towing prohibited.--No person shall tow on a highway a  
4 house trailer, RECREATIONAL TRAILER, mobile home or boat on a <—  
5 trailer occupied by a passenger or passengers.

6 (c) **[Exception for certain semitrailers]** EXCEPTIONS.--A <—  
7 semitrailer which is attached to a [truck] towing vehicle in an  
8 articulating manner by means of a fifth wheel semitrailer  
9 coupling device attached to the carrying compartment of the  
10 [truck] towing vehicle may be occupied by a passenger or  
11 passengers. The coupling device shall have a two-inch or larger  
12 kingpin. All windows shall have safety glass. Some means of  
13 electrical or electronic communications approved by the  
14 department is required between the [cab of the truck] towing  
15 vehicle and the semitrailer. THIS SUBSECTION APPLIES ONLY TO <—  
16 HOUSE TRAILERS AND RECREATIONAL TRAILERS.

17 § 3709. Depositing waste and other material on highway.

18 (a) General rule.--No person shall throw or deposit upon any  
19 highway any waste paper, sweepings, ashes, household waste,  
20 glass, metal, refuse or rubbish, or any dangerous or detrimental  
21 object or substance.

22 (b) Removal of deposited material.--Any person who [drops]  
23 throws or deposits, or permits to be [dropped or] thrown or  
24 deposited, upon any highway any waste paper, sweepings, ashes,  
25 household waste, glass, metal, refuse or rubbish, or any  
26 dangerous or detrimental object or substance shall immediately  
27 remove the same or cause it to be removed.

28 (c) Removal of material following accident.--Any person  
29 removing a wrecked, damaged or disabled vehicle from a highway  
30 shall remove from the highway or neutralize any glass, metal,

1 oil or other [injurious] dangerous or detrimental object or  
2 substance resulting from the accident or disablement.

3 (d) Penalty.--Any person violating any of the provisions of  
4 subsection (a) or (b) is guilty of a summary offense and shall,  
5 upon conviction, be sentenced to pay a fine of not more than  
6 \$300.

7 § 3711. Unauthorized persons and devices hanging on vehicles.

8 \* \* \*

9 (b) Exceptions.--This section is not applicable to firemen  
10 or garbage collectors or operators of fire trucks or garbage  
11 trucks or employees of public utility companies acting pursuant  
12 to and during the course of their duties or to other persons  
13 exempted by the department regulations from the application of  
14 this section. This section does not prohibit attaching a trailer  
15 or semitrailer to a pedalcycle or riding in or on the bed of a  
16 truck OR OTHER VEHICLE as long as no part of any person's body <—  
17 extends beyond the bed of the truck OR OTHER VEHICLE. <—

18 § 3731. DRIVING UNDER INFLUENCE OF ALCOHOL OR CONTROLLED <—  
19 SUBSTANCE.

20 (A) OFFENSE DEFINED.--A PERSON SHALL NOT DRIVE ANY MOTOR  
21 VEHICLE WHILE:

22 (1) UNDER THE INFLUENCE OF ALCOHOL TO A DEGREE WHICH  
23 RENDERS THE PERSON INCAPABLE OF SAFE DRIVING;

24 (2) UNDER THE INFLUENCE OF ANY CONTROLLED SUBSTANCE, AS  
25 DEFINED IN THE ACT OF APRIL 14, 1972 (P.L.233, NO.64), KNOWN  
26 AS "THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT,"  
27 TO A DEGREE WHICH RENDERS THE PERSON INCAPABLE OF SAFE  
28 DRIVING; OR

29 (3) UNDER THE COMBINED INFLUENCE OF ALCOHOL AND A  
30 CONTROLLED SUBSTANCE TO A DEGREE WHICH RENDERS THE PERSON

1 INCAPABLE OF SAFE DRIVING.

2 \* \* \*

3 (D) ACCELERATED REHABILITATIVE DISPOSITION.--A PERSON  
4 CHARGED WITH A VIOLATION OF THIS SECTION SHALL NOT BE OFFERED  
5 ACCELERATED REHABILITATIVE DISPOSITION UNLESS THE PERSON AGREES  
6 TO UNDERTAKE A COURSE OF INSTRUCTION ON ALCOHOL AND DRIVING  
7 ESTABLISHED AND MAINTAINED UNDER SECTION 1549(B) (RELATING TO  
8 ESTABLISHMENT OF SCHOOLS).

9 [(D)] (E) PENALTY.--ANY PERSON VIOLATING ANY OF THE  
10 PROVISIONS OF [THIS SECTION] SUBSECTION (A) IS GUILTY OF A  
11 MISDEMEANOR OF THE THIRD DEGREE AND, UPON CONVICTION OF A FIRST  
12 OFFENSE, SHALL BE SENTENCED TO PAY A FINE OF \$300 IN ADDITION TO  
13 ANY SENTENCE OF IMPRISONMENT WHICH MAY BE IMPOSED.

14 § 3741. APPLICATION OF SUBCHAPTER.

15 THE PROVISIONS OF SUBCHAPTER REQUIRING REPORTS TO THE  
16 DEPARTMENT SHALL APPLY ONLY UPON HIGHWAYS AND TRAFFICWAYS  
17 THROUGHOUT THIS COMMONWEALTH.

18 § 3746. Immediate notice of accident to police department.

19 \* \* \*

20 (c) Investigation by police officer.--Every accident  
21 reported to a police department as required in this section  
22 shall be investigated by a police officer who shall provide each  
23 driver a signed statement, ON A FORM PROVIDED BY THE POLICE <—  
24 DEPARTMENT, that the accident was reported.

25 § 3749. Reports by coroners and medical examiners.

26 \* \* \*

27 (b) Blood and urine samples.--The coroners or medical  
28 examiners of each county in this Commonwealth shall take blood  
29 or urine samples or both from the bodies of [all drivers and of] <—  
30 all pedestrians over 15 years of age AND ALL DRIVERS who die <—

1 within four hours following an accident and shall, within ten  
2 days of the accident, transmit the samples to the [Governor's  
3 Council on Drug and Alcohol Abuse] Department of Health. This  
4 subsection shall be applicable to all occupants over 15 years of  
5 age if the driver of the vehicle cannot be determined.

6 (c) Regulations for testing samples.--The [Governor's  
7 Council on Drug and Alcohol Abuse] Department of Health shall  
8 establish and promulgate rules and regulations for the testing  
9 of the blood and urine samples authorized to be taken from dead  
10 bodies under this section.

11 § 3751. Reports by police.

12 \* \* \*

13 (b) Furnishing copies of report.--Police departments shall,  
14 upon request, furnish at a [cost] price not to exceed \$5 a  
15 certified copy of the full report of the police investigation of  
16 any vehicle accident to any person involved in the accident, his  
17 attorney or insurer, and to the Federal Government, branches of  
18 the military service, Commonwealth agencies, and to officials of  
19 political subdivisions and to agencies of other states and  
20 nations and their political subdivisions. The copy of the report  
21 shall not be admissible as evidence in any action for damages or  
22 criminal proceedings arising out of a motor vehicle accident.  
23 Police departments may refuse to furnish the complete copy of  
24 investigation of the vehicle accident whenever there are  
25 criminal charges pending against any persons involved in the  
26 vehicle accident unless the Pennsylvania Rules of Criminal  
27 Procedure require the production of the documents.

28 § 3752. Accident report forms.

29 (a) Form and content.--The department shall prepare and upon  
30 request supply to all law enforcement agencies and other



1 appropriate agencies or individuals, forms for written accident  
2 reports as required in this subchapter suitable with respect to  
3 the persons required to make the reports and the purposes to be  
4 served. The written report forms shall call for sufficiently  
5 detailed information to disclose with reference to a vehicle  
6 accident the cause, conditions then existing and the persons and  
7 vehicles involved. Reports [for use by the drivers and owners]  
8 shall also [provide for information relating to financial  
9 responsibility] indicate whether the vehicle is covered by the  
10 insurance required in section 104(a) of the act of July 19, 1974  
11 (P.L.489, No.176), known as the "Pennsylvania No-fault Motor  
12 Vehicle Insurance Act," and the name of the carrier, if any.

13 (b) [Use] Preparation.--Every accident report required to be  
14 made in writing shall be made on the appropriate form approved  
15 by the department and shall contain all the information required  
16 therein unless not available.

17 § 4103. Promulgation of vehicle equipment standards.

18 (a) General rule.--The department shall promulgate vehicle  
19 equipment standards for vehicles, equipment and devices required  
20 under this part. To the maximum extent possible, consistent with  
21 safety, the standards shall be expressed in terms of minimum  
22 acceptable performance levels, measured against objective  
23 testing parameters.

24 (b) Applicability of Federal standards.--Federal standards  
25 promulgated with respect to the performance of any vehicle or  
26 item of equipment shall have the same force and effect as if  
27 promulgated by the department under subsection (a) and shall  
28 supersede any Commonwealth standard applicable to the same  
29 aspect of performance for the vehicle or item of equipment.

30 (c) Incorporation of standards by reference.--Subject to the

provisions of subsections (a) and (b), applicable standards or recommended practices issued by the National Highway Traffic Safety Administration, U.S. Department of Transportation†, the Vehicle Equipment Safety Commission, the American National Standards Institute, the Society of Automotive Engineers‡ or any other generally recognized standards setting body may be adopted by reference[, provided that copies of the standards are]\_.

COPIES OF STANDARDS OTHER THAN STANDARDS OF THE FEDERAL HIGHWAY ADMINISTRATION SHALL BE incorporated in the notice of proposed rule making.

(d) Applicability to certain vehicles.--Vehicle equipment standards contained in this part or promulgated by the department under the authority given in this part shall not apply to a motor vehicle registered as an antique or [classic] historic MOTOR vehicle containing equipment which meets the original manufacturer's specifications.

(e) Extension of standards prohibited.--Vehicle equipment standards promulgated by the department shall not be extended to any vehicle which, because of its date of manufacture, is not required by Federal standards to have the equipment.

§ 4107. Unlawful activities.

(a) Violation of vehicle equipment standards.--

(1) It is unlawful for any person to sell, offer for sale, lease, install or replace, either separately or as part of the equipment of a vehicle, any item of vehicle equipment affecting the operation of the vehicle which does not comply with this title or regulations promulgated thereunder, or which does not comply with an applicable Federal motor vehicle safety standard [adopted by regulation by the department].

(2) Any person convicted of violating this subsection shall be subject to a civil penalty of not more than \$100 for each violation. Each violation of the provisions of this subsection shall constitute a separate violation with respect to each motor vehicle or item of motor vehicle equipment or with respect to each failure or refusal to allow or perform an act required thereby, except that the maximum civil penalty shall not exceed \$10,000 for any related series of violations.

\* \* \*

§ 4303. General lighting requirements.

\* \* \*

(c) Turn signals and hazard warning lights.--Every motor vehicle, except motorcycles [and pedalcycles] not required to be so equipped at the time of manufacture, and every trailer operated on a highway shall be equipped with a system of turn signal lights and hazard warning lights in conformance with regulations of the department.

\* \* \*

(E) EQUIPMENT EXEMPTED BY REGULATION.--ANTIQUE MOTOR VEHICLES, HISTORIC MOTOR VEHICLES, ANIMAL-DRAWN VEHICLES, IMPLEMENTS OF HUSBANDRY AND SPECIAL MOBILE EQUIPMENT, IF OPERATED EXCLUSIVELY BETWEEN THE HOURS OF SUNRISE AND SUNSET AND NOT DURING PERIODS OF REDUCED VISIBILITY OR INSUFFICIENT ILLUMINATION, MAY BE EXEMPTED FROM CERTAIN LIGHTING EQUIPMENT REQUIREMENTS OF THIS PART BY REGULATIONS OF THE DEPARTMENT. LIGHTING REQUIREMENTS FOR PEDALCYCLES AND MOTOR-DRIVEN CYCLES MAY BE MODIFIED BY REGULATIONS OF THE DEPARTMENT.

§ 4305. Vehicular hazard signal lamps.

\* \* \*

1     (d) Use at other times prohibited.--Vehicular hazard signal  
2     lamps shall not be used except as provided in this section.

3     § 4307. USE AND DISPLAY OF ILLUMINATED SIGNS. <—

4     (A) GENERAL RULE.--EXCEPT AS OTHERWISE PROVIDED IN THIS  
5     SECTION OR IN DEPARTMENT REGULATIONS, NO VEHICLE SHALL BEAR OR  
6     DISPLAY ANY ILLUMINATED SIGNS, LETTERS, NUMERALS OR FIGURES OF  
7     ANY KIND [WHATSOEVER].

8     (B) BUSES.--A BUS OR SCHOOL BUS MAY BEAR AN ILLUMINATED SIGN  
9     STATING ITS USE OR DESTINATION.

10    (C) TAXICABS.--A TAXICAB MAY CARRY ON THE REAR OR THE TOP OF  
11    THE VEHICLE ILLUMINATED SIGNS PLACED SO AS NOT TO INTERFERE WITH  
12    THE VISION OF THE DRIVER THROUGH THE REAR WINDOW OF THE VEHICLE.

13    (D) SIZE, MANNER OF LIGHTING AND PLACEMENT.--THE SIZE,  
14    MANNER OF LIGHTING AND PLACEMENT OF THE [SIGN MUST RECEIVE  
15    APPROVAL OF THE DEPARTMENT OR BE A TYPE APPROVED BY THE  
16    DEPARTMENT PRIOR TO USE ON THE VEHICLE.] SIGNS SHALL CONFORM TO  
17    DEPARTMENT REGULATIONS.

18    § 4502. General requirements for braking systems.

19    (a) Parking brakes.--Every motor vehicle [or] , full trailer  
20    and combination, except a motorcycle, operated on a highway  
21    shall be equipped with a parking brake system adequate to hold  
22    the vehicle or combination on any grade on which it is operated,  
23    under all conditions of loading, on a surface free of ice or  
24    snow. The system shall not be designed to require a continuous  
25    or intermittent source of energy for full effectiveness after  
26    initial application.

27    (b) Service brakes.--Every vehicle and combination operated  
28    on a highway shall be equipped with a service brake system  
29    adequate to control the movement of and to stop and hold the  
30    vehicle or combination on any grade on which it is operated,

1 under all conditions of loading, and adequate to meet the  
2 braking performance standards established by regulation of the  
3 department. ~~The provisions of this subsection shall~~ THIS  
4 SUBSECTION DOES not apply to trailers which have a gross weight  
5 not exceeding 1750 3,000 pounds.

<—

<—

6 (c) Breakaway systems.--Every combination operated on a  
7 highway, the towed vehicle of which is equipped with brakes or  
8 which has a gross weight in excess of ~~13,000~~ 1,750 pounds,  
9 shall be so equipped that, upon breakaway of the towed vehicle,  
10 the towed vehicle shall be stopped and held automatically, and  
11 the towing vehicle shall be capable of being stopped and held by  
12 use of its own service braking system. THIS SUBSECTION DOES NOT  
13 APPLY TO A COMBINATION IN WHICH THE TOWED VEHICLE IS A MOTOR  
14 VEHICLE.

<—

<—

15 (d) Exceptions.--This section does not apply to towed  
16 [instruments] implements of husbandry [and], such items or types  
17 of special mobile equipment as are specifically exempted from  
18 compliance by regulations promulgated by the department or to  
19 trailers registered prior to July 1, 1977 or whose  
20 Manufacturer's Statement of Origin indicates that the trailer is  
21 a 1977 model year OR EARLIER.

<—

22 § 4524. Windshield obstructions and wipers.

23 \* \* \*

<—

24 (A) OBSTRUCTION ON FRONT WINDSHIELD.--NO PERSON SHALL DRIVE  
25 ANY MOTOR VEHICLE WITH ANY SIGN, POSTER OR OTHER NONTRANSPARENT  
26 MATERIAL UPON THE FRONT WINDSHIELD EXCEPT AN INSPECTION  
27 CERTIFICATE, [STICKER] IDENTIFICATION SIGN ON A MASS TRANSIT  
28 VEHICLE OR OTHER OFFICIALLY REQUIRED STICKER AND NO PERSON SHALL  
29 DRIVE ANY MOTOR VEHICLE WITH ANY ICE OR SNOW ON THE FRONT  
30 WINDSHIELD WHICH MATERIALLY OBSTRUCTS, OBSCURES OR IMPAIRS THE

<—

1 DRIVER'S CLEAR VIEW OF THE HIGHWAY OR ANY INTERSECTING HIGHWAY.

2 (B) OBSTRUCTION ON SIDE AND REAR WINDOWS.--NO PERSON SHALL  
3 DRIVE ANY MOTOR VEHICLE WITH ANY SIGN, POSTER OR OTHER  
4 NONTRANSPARENT MATERIAL, INCLUDING ICE OR SNOW, UPON THE SIDE  
5 WINGS OR SIDE OR REAR WINDOWS OF THE VEHICLE WHICH MATERIALLY  
6 OBSTRUCTS, OBSCURES OR IMPAIRS THE DRIVER'S CLEAR VIEW OF THE  
7 HIGHWAY OR ANY INTERSECTING HIGHWAY.

8 (C) OTHER OBSTRUCTION.--NO PERSON SHALL DRIVE ANY MOTOR  
9 VEHICLE WITH ANY OBJECT OR MATERIAL HUNG FROM THE INSIDE  
10 REARVIEW MIRROR OR OTHERWISE HUNG, PLACED OR ATTACHED IN SUCH A  
11 POSITION AS TO MATERIALLY OBSTRUCT, OBSCURE OR IMPAIR THE  
12 DRIVER'S VISION THROUGH THE FRONT WINDSHIELD OR IN ANY MANNER AS  
13 TO CONSTITUTE A SAFETY HAZARD.

14 (d) Windshield wiper systems.--The windshield on every motor  
15 vehicle other than a motorcycle [or motor-driven cycle] shall be  
16 equipped with a wiper system capable of cleaning rain, snow or  
17 other moisture from the windshield, and so constructed as to be  
18 controlled or operated by the driver of the vehicle.

19 ~~§ 4525. Tire equipment and traction surfaces.~~ <—

20 ~~(a) General rule. No vehicle shall be operated on the~~  
21 ~~highway unless the vehicle is equipped with tires of a type,~~  
22 ~~size and construction approved by the department for the vehicle~~  
23 ~~and unless the tires are in a safe operating condition as~~  
24 ~~determined in accordance with regulations of the department.~~

25 ~~(b) Vehicles not equipped with pneumatic tires. It is~~  
26 ~~unlawful for any person to operate or move, or cause or permit~~  
27 ~~to be moved, in contact with any highway any vehicle equipped~~  
28 ~~with traction or road contact surfaces other than pneumatic~~  
29 ~~tires unless of a type, size and construction permitted by~~  
30 ~~regulations of the department and unless the movement is made~~

~~under specific conditions allowed by regulations of the  
department.~~

~~(c) [Tire] Ice grips and tire studs. [No vehicle having  
tires containing studs shall be driven on any highway.] Tires in  
which ice grips or tire studs of wear resisting material have  
been installed which provide resiliency upon contact with the  
road and which have projections not exceeding two thirty seconds  
of an inch beyond the tread of the traction surface of the tire  
shall be permitted between November 1 of each year and April 30  
of the following year. The Governor may by executive order  
extend the time tires with ice grips or tire studs may be used  
when highway conditions are such that such tires would be a  
safety factor in traveling Commonwealth highways. Firefighting,  
fire emergency and police vehicles may use tires with ice grips  
or tire studs during any time of the year. The use of tires with  
ice grips or tire studs contrary to the provisions of this  
subsection shall be unlawful.~~

~~(d) Tire chains. Tires chains may be temporarily used on  
vehicles during periods of snow and ice emergency if they are in  
conformance with regulations promulgated by the department.~~

~~(e) Penalty.—~~

~~(1) Any person violating the provisions of subsection  
(c) shall be guilty of a summary offense and, upon conviction  
thereof, shall be sentenced to pay a fine as indicated in  
paragraph (2) and, in default of payment thereof, shall  
undergo imprisonment for not more than 30 days.~~

~~(2) Fines for violation of subsection (c) shall be  
determined from the following chart based on the period of  
unauthorized use:~~

~~May 1 to May 31~~

~~\$35~~

1	<del>June 1 to June 30</del>	<del>45</del>
2	<del>July 1 to July 31</del>	<del>55</del>
3	<del>August 1 to August 31</del>	<del>55</del>
4	<del>September 1 to September 30</del>	<del>55</del>
5	<del>October 1 to October 31</del>	<del>55</del>
6	<del>November 1 to April 30</del>	<del>10</del>

7 § 4530. PORTABLE EMERGENCY WARNING DEVICES. <—

8 (A) GENERAL RULE.--EVERY TRUCK, TRUCK TRACTOR, MOTOR HOME  
9 AND BUS AND ANY MOTOR VEHICLE, EXCEPT AN IMPLEMENT OF HUSBANDRY,  
10 TOWING A TRAILER SHALL CARRY AT LEAST THREE PORTABLE EMERGENCY  
11 WARNING DEVICES OF A TYPE SPECIFIED BY REGULATIONS PROMULGATED  
12 BY THE DEPARTMENT. THE REGULATIONS SHALL BE CONSISTENT WITH  
13 MOTOR CARRIER SAFETY REGULATIONS, DEPARTMENT OF TRANSPORTATION,  
14 FEDERAL HIGHWAY ADMINISTRATION, BUREAU OF MOTOR CARRIER SAFETY,  
15 SECTION 393.95.

16 (B) WHEN DISPLAY REQUIRED.--WHENEVER ANY VEHICLE OF A TYPE  
17 REFERRED TO IN SUBSECTION (A) IS DISABLED OR STOPPED FOR MORE  
18 THAN TEN MINUTES UPON A ROADWAY OR SHOULDER OUTSIDE OF AN URBAN  
19 DISTRICT, OR UPON ANY DIVIDED HIGHWAY, THE DRIVER OF THE VEHICLE  
20 SHALL DISPLAY THE PORTABLE WARNING DEVICES OF THE TYPE REQUIRED  
21 UNDER SUBSECTION (A) IN SUCH MANNER AS THE DEPARTMENT SHALL  
22 DIRECT BY REGULATIONS.

23 § 4531. EMISSION CONTROL [SYSTEMS] DEVICES.

24 [(A) COMPLIANCE WITH ESTABLISHED MAXIMUM LEVELS.--NO VEHICLE  
25 MANUFACTURED IN COMPLIANCE WITH THE REQUIREMENTS OF THE CLEAN  
26 AIR ACT (77 STAT. 392, 42 U.S.C. § 1857), OR ANY AMENDMENTS OR  
27 SUPPLEMENTS THERETO, SHALL HAVE EMISSIONS EXCEEDING THE MAXIMUM  
28 PERMISSIBLE LEVELS PRESCRIBED BY LAW.

29 (B) LIMITATION ON ALTERATION OF SYSTEM.--NO PERSON SHALL  
30 CHANGE OR ALTER THE EMISSION CONTROL SYSTEM OF A VEHICLE IN SUCH



1 A MANNER THAT IT FAILS TO COMPLY WITH THE PRESCRIBED EMISSIONS  
2 CRITERIA. IT IS UNLAWFUL FOR THE VEHICLE TO BE OPERATED UNDER  
3 ITS OWN POWER UNTIL A REINSPECTION AT AN OFFICIAL INSPECTION  
4 STATION ESTABLISHES ITS FULL COMPLIANCE.]

5 (A) REMOVAL OR RENDERING INOPERATIVE.--IT IS UNLAWFUL FOR  
6 ANY PERSON TO REMOVE OR RENDER INOPERATIVE, EXCEPT FOR  
7 REINSTALLATION OR REPAIR, OR TO ADVERTISE OR OTHERWISE OFFER TO  
8 DO SO, ANY DEVICE OR ELEMENT OF DESIGN INSTALLED ON OR IN A  
9 MOTOR VEHICLE OR MOTOR VEHICLE ENGINE MANUFACTURED IN COMPLIANCE  
10 WITH THE CLEAN AIR ACT (77 STAT. 392, 42 U.S.C. § 1857) AND ANY  
11 AMENDMENTS AND SUPPLEMENTS THERETO.

12 (B) OWNING OR DRIVING NONCOMPLYING VEHICLES.--IT IS UNLAWFUL  
13 FOR ANY PERSON TO OWN OR KNOWINGLY DRIVE ANY VEHICLE IN WHICH  
14 ANY DEVICE OR ELEMENT OF DESIGN INSTALLED ON OR IN A MOTOR  
15 VEHICLE OR MOTOR VEHICLE ENGINE, MANUFACTURED IN COMPLIANCE WITH  
16 THE CLEAN AIR ACT AND ANY AMENDMENTS AND SUPPLEMENTS THERETO,  
17 HAS BEEN REMOVED OR RENDERED INOPERATIVE.

18 (C) PENALTY.--ANY PERSON VIOLATING ANY OF THE PROVISIONS OF  
19 THIS SECTION IS GUILTY OF A SUMMARY OFFENSE AND SHALL, UPON  
20 CONVICTION, BE SENTENCED TO PAY A FINE OF \$100 FOR EACH  
21 VIOLATION. EACH VIOLATION OF THE PROVISIONS OF THIS SECTION  
22 SHALL CONSTITUTE A SEPARATE VIOLATION WITH RESPECT TO EACH MOTOR  
23 VEHICLE, DEVICE, ELEMENT OF DESIGN, OFFER OR ADVERTISEMENT.

24 (D) INJUNCTIVE RELIEF.--IN ADDITION TO ANY FINE IMPOSED  
25 UNDER SUBSECTION (C), A COURT OF RECORD SHALL HAVE JURISDICTION  
26 TO RESTRAIN ANY VIOLATION OF THE PROVISIONS OF THIS SECTION.

27 § 4534. REARVIEW MIRRORS.

28 NO PERSON SHALL OPERATE [A MOTOR VEHICLE OR] ANY COMBINATION  
29 OR A MOTOR VEHICLE, OTHER THAN A MOTORIZED PEDALCYCLE OR  
30 IMPLEMENT OF HUSBANDRY, ON A HIGHWAY UNLESS THE VEHICLE OR

1 COMBINATION IS EQUIPPED WITH AT LEAST ONE MIRROR, OR SIMILAR  
2 DEVICE, WHICH PROVIDES THE DRIVER AN UNOBSTRUCTED VIEW OF THE  
3 HIGHWAY TO THE REAR OF THE VEHICLE OR COMBINATION.

4 § 4535. AUDIBLE WARNING DEVICES.

5 (A) GENERAL RULE.--EVERY MOTOR VEHICLE OPERATED ON A  
6 HIGHWAY, EXCEPT AN IMPLEMENT OF HUSBANDRY, SHALL BE EQUIPPED  
7 WITH A HORN OR OTHER AUDIBLE WARNING DEVICE OF A TYPE APPROVED  
8 IN REGULATIONS OF THE DEPARTMENT.

9 (B) CERTAIN SOUND DEVICES PROHIBITED.--EXCEPT AS  
10 SPECIFICALLY PROVIDED IN THIS PART OR BY REGULATIONS OF THE  
11 DEPARTMENT, NO VEHICLE OPERATED ON A HIGHWAY SHALL BE EQUIPPED  
12 WITH A SIREN, BELL, WHISTLE OR ANY DEVICE EMITTING A SIMILAR  
13 SOUND OR ANY UNREASONABLY LOUD OR HARSH SOUND.

14 § 4552. General requirements for school buses.

15 \* \* \*

16 (e) Visibility.--Every school bus shall be designed and  
17 equipped with mirrors so as to provide the driver with an  
18 unobstructed view of any pedestrian in proximity to the vehicle.

19 \* \* \*

20 (i) Vehicles no longer used as school buses.--Labels,  
21 markings and visual signals required by this section must SHALL <—  
22 be removed from any motor vehicles VEHICLE no longer in use as a <—  
23 school bus. THE EXTERIOR OF THE MOTOR VEHICLE SHALL BE REPAINTED <—  
24 SO AS NOT TO RESEMBLE A SCHOOL BUS.

25 ~~§ 4553. General requirements for other vehicles transporting~~ <—  
26 ~~—school children.~~

27 \* \* \*

28 ~~(b) Other vehicles. A motor vehicle other than a school bus~~  
29 ~~used to transport children to or from school or in connection~~  
30 ~~with school activities[, which is not a school bus because of~~

1 ~~its limited seating capacity,] shall comply with regulations~~  
2 ~~established by the department for such vehicles. Unless required~~  
3 ~~by Federal law or regulation, the regulations established by the~~  
4 ~~department shall not require vehicles which pick up and~~  
5 ~~discharge school children only at locations off the highway to~~  
6 ~~be of any particular color or to display flashing red and amber~~  
7 ~~lights.~~

8 § 4571. Visual and audible signals on emergency vehicles.

9 (a) General rule.--Every emergency vehicle shall be equipped  
10 with one or more revolving or flashing red lights and an audible  
11 warning system. SPOTLIGHTS WITH ADJUSTABLE SOCKETS MAY BE <—  
12 ATTACHED TO OR MOUNTED ON EMERGENCY VEHICLES.

13 (b) Police and fire vehicles.--

14 (1) Police vehicles may in addition to the requirements  
15 of subsection (a) be equipped with revolving or flashing blue  
16 lights. The combination of red and blue lights may be used  
17 only on police vehicles.

18 (2) Spotlights with adjustable sockets may be attached <—  
19 to or mounted on police vehicles.

20 (3) Unmarked police vehicles, used as emergency <—  
21 vehicles and equipped with audible warning systems, may be  
22 equipped with the lights described in this section.

23 [(4)] (3) Police and fire vehicles may be equipped with <—  
24 a mounted rack containing one or more emergency warning  
25 lights or side mounted [adjustable] floodlights[, or both] or  
26 alley lights or all such lights.

27 (c) Game Commission AND CORONER vehicles.-- <—

28 (1) Vehicles owned and operated by the Pennsylvania Game <—  
29 Commission may be equipped with revolving or flashing red  
30 lights in accordance with subsection (a).

1           (2) ONE VEHICLE OWNED BY A CORONER AND ONE VEHICLE OWNED <—  
2           BY A CHIEF DEPUTY CORONER MAY BE EQUIPPED WITH REVOLVING OR  
3           FLASHING RED AND BLUE LIGHTS OF A TYPE APPROVED BY THE  
4           DEPARTMENT TO BE USED ONLY IN EMERGENCY SITUATIONS.

5           (d) Vehicles prohibited from using signals.--Except as  
6 otherwise specifically provided in this part, no vehicle other  
7 than an emergency vehicle may be equipped with lights or audible  
8 warning systems identical or similar to those specified in  
9 subsections (a) and (b).

10          (e) Authorized period of use.--The lights and warning  
11 systems specified by this section may be used only during an  
12 emergency or in the interest of public safety and by police  
13 officers in enforcement of the law.

14          (f) Conformity with department regulations.--All equipment  
15 authorized or required by this section shall conform to  
16 department regulations.

17 § 4572. VISUAL SIGNALS ON AUTHORIZED VEHICLES. <—

18          \* \* \*

19          (B) FLASHING OR REVOLVING YELLOW LIGHTS.--VEHICLES  
20 AUTHORIZED PURSUANT TO THE PROVISIONS OF SECTION 6107 (RELATING  
21 TO DESIGNATION OF AUTHORIZED VEHICLES BY DEPARTMENT) MAY BE  
22 EQUIPPED WITH [NO MORE THAN TWO] FLASHING OR REVOLVING YELLOW  
23 LIGHTS IN ADDITION TO THE VEHICULAR HAZARD SIGNAL LAMPS  
24 AUTHORIZED IN SECTION 4305 (RELATING TO VEHICULAR HAZARD SIGNAL  
25 LAMPS). THE NUMBER OF LIGHTS, THE MANNER IN WHICH THE [LIGHT] <—  
26 LIGHTS SHALL BE DISPLAYED AND THE INTENSITY SHALL BE DETERMINED  
27 BY REGULATION OF THE DEPARTMENT.

28          (C) SPOTLIGHTS.--SPOTLIGHTS WITH ADJUSTABLE SOCKETS MAY BE  
29 ATTACHED TO OR MOUNTED ON AUTHORIZED VEHICLES.

30          [(C)] (D) VEHICLES PROHIBITED FROM USING LIGHTS.--NO VEHICLE <—

1 OTHER THAN A DULY AUTHORIZED VEHICLE MAY BE EQUIPPED WITH LIGHTS  
2 IDENTICAL OR SIMILAR TO THOSE SPECIFIED IN SUBSECTIONS (A) AND  
3 (B).

4 § 4702. [Requirement for periodic] Periodic inspection  
5 of vehicles.

6 (a) [General rule] SEMIANNUAL INSPECTION SYSTEM.--The <—  
7 department shall establish a system of semiannual inspection of  
8 vehicles. [registered in this Commonwealth.

9 (b) Annual inspection of certain vehicles.--Recreational  
10 trailers, vehicles registered as antique and classic vehicles,  
11 firefighting vehicles and motorcycles shall be subject to annual  
12 inspection.]

13 (b) ~~Exemptions~~ ANNUAL INSPECTIONS.--The following types of <—  
14 vehicles shall not be subject to ~~semiannual~~ ANNUAL inspection: <—

15 (1) ~~Trailers~~ RECREATIONAL TRAILERS having a registered <—  
16 gross weight of ~~3,000 pounds or less~~. IN EXCESS OF 3,000 <—  
17 POUNDS.

18 (2) Vehicles registered as antique and historic MOTOR <—  
19 vehicles.

20 (3) Firefighting vehicles.

21 (4) Motorcycles OTHER THAN MOTORIZED PEDALCYCLES. <—

22 (5) Motor homes.

23 (c) [Inspection of vehicles reentering this Commonwealth.--  
24 Owners of Pennsylvania registered vehicles which have been  
25 outside of this Commonwealth continuously for 30 days or more  
26 and which at the time of reentering this Commonwealth do not  
27 bear a currently valid certificate of inspection and approval  
28 shall, within five days of reentering this Commonwealth, proceed  
29 to an official inspection station for an inspection of the  
30 vehicle.

(d)] Extension of inspection period.--The department may, by regulation, extend the time for any of the inspections required by this chapter for not more than 30 days due to weather conditions or other causes which render compliance with the provisions of this chapter within the prescribed time difficult or impossible.

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

(a) General rule.--No [registered] motor vehicle required to be registered in this Commonwealth shall be driven and no [registered] trailer required to be registered in this Commonwealth shall be moved on a highway unless the vehicle displays a currently valid certificate of inspection [and approval].

(b) Exceptions.--Subsection (a) does not apply to:

(1) Special mobile equipment.

(2) Implements of husbandry.

(3) Motor vehicles being towed.

(4) Motor vehicles being operated or trailers being towed by an official inspection station owner or employee for the purpose of inspection.

(5) Trailers having a registered gross weight of 3,000 pounds or less.

(6) Motorized pedalcycles.

(7) CONSTRUCTION STORAGE TRAILERS.

(8) VEHICLES BEING REPOSSESSED BY A FINANCER OR COLLECTOR-REPOSSESSOR THROUGH THE USE OF MISCELLANEOUS MOTOR VEHICLE BUSINESS REGISTRATION PLATES.

(9) NEW VEHICLES WHILE THEY ARE IN THE PROCESS OF MANUFACTURE, INCLUDING TESTING, AND NOT IN TRANSIT FROM THE

1 MANUFACTURER TO A PURCHASER OR DEALER.

2 (c) Inspection of vehicles reentering this Commonwealth.--  
3 Vehicles subject to inspection which have been outside this  
4 Commonwealth continuously for 30 days or more and which, at the  
5 time of reentering this Commonwealth, do not bear a currently  
6 valid certificate of inspection shall be inspected within five  
7 days of reentering this Commonwealth.

8 ~~(d) Dealer owned vehicles. Vehicles bearing dealer~~ <—  
9 ~~registration plates shall be inspected within five days of~~  
10 ~~purchase or entry into this Commonwealth, whichever occurs~~  
11 ~~later.~~

12 (D) NEWLY-PURCHASED VEHICLES.--NEWLY-PURCHASED VEHICLES MAY <—  
13 BE DRIVEN WITHOUT BEING INSPECTED FOR FIVE DAYS AFTER PURCHASE  
14 OR ENTRY INTO THIS COMMONWEALTH, WHICHEVER OCCURS LATER.

15 ~~(e) Limitation on prosecution. A motor vehicle shall be the~~ <—  
16 ~~subject of only one arrest under subsection (a) in any 24 hour~~  
17 ~~period.~~

18 ~~[(c)]~~ ~~(f)~~ (E) Display of unauthorized certificate of <—  
19 inspection.--No certificate of inspection [and approval] shall  
20 be displayed unless an official inspection has been made and the  
21 vehicle is in conformance with the provisions of this chapter.

22 ~~[(d)]~~ ~~(g)~~ (F) Authority of police.--Any police officer may <—  
23 stop any motor vehicle or trailer and require the owner or  
24 operator to display an official certificate of inspection [and  
25 approval] for the vehicle being operated. A police officer may  
26 summarily remove an UNAUTHORIZED, EXPIRED OR unlawfully issued <—  
27 certificate of inspection from any vehicle.

28 (G) LIMITATION ON PROSECUTION.--A MOTOR VEHICLE SHALL BE THE <—  
29 SUBJECT OF ONLY ONE ARREST UNDER SUBSECTION (A) IN ANY 24-HOUR  
30 PERIOD.

1 § 4704. Notice by police officers of violation.

2 (a) General rule.--Any police officer having probable cause  
3 to believe that any vehicle, regardless of whether it is being  
4 operated, is unsafe or not equipped as required by law may at  
5 any time submit a written notice of the condition to the driver  
6 of the vehicle or to the owner, or if neither is present, to an  
7 adult occupant of the vehicle, or if the vehicle is unoccupied,  
8 the notice shall be attached to the vehicle in a conspicuous  
9 place.

10 (1) If an item of equipment is broken or missing, the  
11 notice shall specify the particulars of the condition and  
12 require that the equipment be adjusted or repaired. Within  
13 five days evidence must be submitted to the police that the  
14 requirements for repair have been satisfied.

15 (2) If the police officer has probable cause to believe  
16 that a vehicle is unsafe or not in proper repair, he may  
17 require in the written notice that the [car] vehicle be  
18 inspected. The owner or driver shall submit to the police  
19 within five days of the date of notification certification  
20 from an official inspection station that the vehicle has been  
21 restored to safe operating condition in relation to the  
22 particulars specified on the notice.

23 (3) After the expiration of the five-day period  
24 specified in paragraphs (1) and (2), the vehicle shall not be  
25 operated upon the highways of this Commonwealth until the  
26 owner or driver has submitted to the police evidence of  
27 compliance with the requirements of paragraph (1) or (2),  
28 whichever is applicable.

29 \* \* \*

30 (D) DRIVEAWAY-TOWAWAY OPERATIONS.--NOT MORE THAN [THREE]

<—



1 FOUR TRUCK TRACTORS, EMPTY TRUCKS OR CHASSIS THEREFOR, MAY BE  
2 TOWED BY A TRUCK TRACTOR, TRUCK OR THE CHASSIS THEREOF, PROVIDED  
3 THAT ONLY THE REAR WHEELS OF THE DRAWN VEHICLES SHALL TOUCH THE  
4 ROAD SURFACE.

5 § 4721. Appointment of official inspection stations.

6 (a) General rule.--For the purpose of establishing a system  
7 of official inspection stations, the department shall issue  
8 certificates of appointment to privately owned facilities within  
9 this Commonwealth that comply with the requirements of this  
10 chapter and regulations adopted by the department. The  
11 department shall issue instructions and all necessary forms to  
12 such facilities. Official inspection stations are authorized to  
13 inspect vehicles and issue official certificates of inspection.

14 (b) Stations limited to trailer inspections.--For the  
15 purpose of authorizing official inspection stations limited to  
16 the inspection of trailers and recreational trailers not <—  
17 exceeding a REGISTERED gross weight of 10,000 pounds, the <—  
18 department shall issue certificates of appointment to privately  
19 owned facilities within this Commonwealth that comply with the  
20 requirements of this chapter and regulations adopted by the  
21 department. The department shall issue instructions and all  
22 necessary forms to such facilities. The stations are authorized  
23 to inspect AND ISSUE OFFICIAL CERTIFICATES OF INSPECTION FOR <—  
24 only trailers and recreational trailers not exceeding a <—  
25 REGISTERED gross weight of 10,000 pounds. and issue official <—  
26 certificates of inspection.

27 ~~§ 4723. Certificate of appointment for inspecting fleet~~ <—  
28 ~~—vehicles.~~

29 ~~(a) General rule.~~The department may issue a certificate of  
30 appointment under the provisions of this chapter to any person

~~who owns or leases 15 or more vehicles and who meets the requirements of this chapter and regulations adopted by the department. The certificate of appointment may authorize inspection of only those vehicles owned or leased by such person.~~

~~(b) Place of inspection. The inspection of fleet vehicles may be made at any location within this Commonwealth by persons holding a certificate of appointment under this section. The inspection shall be performed indoors, within an enclosure or under cover.~~

§ 4722. CERTIFICATE OF APPOINTMENT.

\* \* \*

(C) BOND OR PROOF OF INSURANCE.--[BEFORE ISSUING A CERTIFICATE OF APPOINTMENT THE DEPARTMENT SHALL REQUIRE] EVERY STATION SHALL PROVIDE AND MAINTAIN A BOND OR PROOF OF INSURANCE TO [PROVIDE] GUARANTEE COMPENSATION FOR ANY DAMAGE TO A VEHICLE DURING AN INSPECTION OR ADJUSTMENT DUE TO NEGLIGENCE ON THE PART OF THE APPLICANT OR ITS EMPLOYEES IN SUCH AMOUNT AS IS DEEMED ADEQUATE BY THE DEPARTMENT PURSUANT TO DEPARTMENT REGULATIONS.

§ 4726. Certification of mechanics.

No mechanic shall conduct motor vehicle inspections at an official inspection station unless certified as to training, qualifications and competence by the department according to department regulations: ~~Provided, however, That a. A person who is in possession of a valid motor vehicle driver's license, other than a motorcycle driver's license, shall not be required to have a school bus driver's license as a prerequisite to being certified to inspect school buses.~~ The provisions of this title or regulations adopted thereunder shall not be construed or applied in a manner which would preclude or impair the right of

1 a person who is a resident of another state, and who is in  
2 possession of a valid driver's license issued by such state, to  
3 be certified to conduct motor vehicle inspections at an official  
4 inspection station in this Commonwealth. No official inspection  
5 station appointment shall be issued or renewed unless a  
6 certified official inspection mechanic is there employed.

7 § 4727. Issuance of certificate of inspection.

8 (a) Requirements prior to inspection.--No vehicle except a  
9 dealer-owned vehicle shall be inspected unless it is duly  
10 registered. The owner or operator or an employee of the official  
11 inspection station shall examine the registration card in order  
12 to ascertain that the vehicle is registered.

13 \* \* \*

14 ~~§ 4728. Display of certificate of inspection.~~ <—

15 ~~The appropriate certificate of inspection shall be affixed to~~  
16 ~~the vehicle as specified in regulations adopted by the~~  
17 ~~department. The fee for the certificate of inspection shall be~~  
18 ~~prominently printed on each certificate.~~

19 § 4729. Removal of certificate of inspection.

20 No certificate of inspection shall be removed from a vehicle  
21 for which the certificate was issued except to replace it with a  
22 new certificate of inspection issued in accordance with the  
23 provisions of this chapter or as follows:

24 (1) The police officer may remove a certificate of  
25 inspection in accordance with the provisions of section  
26 4703(d) (relating to operation of vehicle without official  
27 certificate of inspection).

28 (2) A person replacing a windshield or repairing a  
29 windshield in such a manner as to require removal of a  
30 certificate of inspection shall at the option of the

1 registrant of the vehicle cut out the portion of the  
2 windshield containing the certificate and deliver it to the  
3 registrant of the vehicle or destroy the certificate. The  
4 vehicle may be driven for up to five days if it displays the  
5 portion of the old windshield containing the certificate as  
6 prescribed in department regulations. Within the five day  
7 period an official inspection station may affix to the  
8 vehicle another certificate of inspection for the same  
9 inspection period without reinspecting the vehicle in  
10 exchange for the portion of the old windshield containing the  
11 certificate of inspection. A fee of no more than \$1 may be  
12 charged for the exchanged certificate of inspection.

13 (3) [A salvor] Every applicant for a certificate of junk <—  
14 VEHICLE SALVAGE AUTHORIZATION pursuant to section 1117(a) <—  
15 (relating to vehicle destroyed or junked SALVAGED) shall <—  
16 remove and destroy the certificate of inspection on [every  
17 vehicle in his possession except vehicles used in the  
18 operation of the business of the salvor] the vehicle.

19 § 4730. VIOLATIONS OF USE OF CERTIFICATE OF INSPECTION. <—

20 (A) GENERAL RULE.--NO PERSON SHALL:

21 (1) MAKE, ISSUE, TRANSFER OR POSSESS ANY IMITATION [OR  
22 COUNTERFEIT] OF AN OFFICIAL CERTIFICATE OF INSPECTION; [OR]

23 (2) DISPLAY OR CAUSE TO BE DISPLAYED ON ANY VEHICLE OR  
24 HAVE IN POSSESSION ANY CERTIFICATE OF INSPECTION KNOWING THE  
25 SAME TO BE FICTITIOUS OR STOLEN OR ISSUED FOR ANOTHER VEHICLE  
26 OR ISSUED WITHOUT AN INSPECTION HAVING BEEN MADE; OR

27 (3) KNOWINGLY POSSESS OR SELL ANY COUNTERFEIT  
28 CERTIFICATE OF INSPECTION.

29 (B) UNAUTHORIZED USE BY OFFICIAL INSPECTION STATION.--NO  
30 OFFICIAL INSPECTION STATION SHALL FURNISH, LOAN, GIVE OR SELL

1 CERTIFICATES OF INSPECTION AND APPROVAL TO ANY OTHER OFFICIAL  
2 INSPECTION STATION OR ANY OTHER PERSON EXCEPT UPON AN INSPECTION  
3 MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CHAPTER.

4 (C) PENALTY.--

5 (1) A VIOLATION OF THE PROVISIONS OF THIS SECTION EXCEPT  
6 SUBSECTION (A)(3) CONSTITUTES A SUMMARY OFFENSE PUNISHABLE:

7 [(1)] (I) FOR A FIRST OFFENSE, BY A FINE OF \$100.

8 [(2)] (II) FOR A SUBSEQUENT OFFENSE, BY A FINE OF NOT  
9 LESS THAN \$200 NOR MORE THAN \$500 OR IMPRISONMENT FOR NOT  
10 MORE THAN 90 DAYS, OR BOTH.

11 (2) A VIOLATION OF SUBSECTION (A)(3) CONSTITUTES A  
12 SUMMARY OFFENSE PUNISHABLE BY A FINE OF \$500 AND A THREE-  
13 MONTH SUSPENSION OF THE DRIVER'S LICENSE AND ALL VEHICLE  
14 REGISTRATIONS OF THE VIOLATOR.

15 § 4902. Restrictions on use of highways and bridges.

16 \* \* \*

17 (A) GENERAL RULE.--THE DEPARTMENT AND LOCAL AUTHORITIES WITH  
18 RESPECT TO HIGHWAYS AND BRIDGES UNDER THEIR JURISDICTIONS MAY  
19 PROHIBIT THE OPERATION OF VEHICLES AND MAY IMPOSE RESTRICTIONS  
20 AS TO THE WEIGHT OR SIZE OF VEHICLES OPERATED UPON A HIGHWAY OR  
21 BRIDGE WHENEVER THE HIGHWAY OR BRIDGE, BY REASON OF  
22 DETERIORATION OR RAIN, SNOW OR OTHER CLIMATIC CONDITIONS, MAY BE  
23 DAMAGED OR DESTROYED UNLESS THE USE OF VEHICLES IS PROHIBITED OR  
24 THE PERMISSIBLE WEIGHTS REDUCED. SCHOOL BUSES, EMERGENCY  
25 VEHICLES AND VEHICLES MAKING LOCAL DELIVERIES OR PICKUPS MAY BE  
26 EXEMPTED FROM RESTRICTIONS ON HIGHWAYS IMPOSED UNDER THIS  
27 SUBSECTION.

28 (B) PERMIT WITH BOND.--THE DEPARTMENT AND LOCAL AUTHORITIES  
29 MAY ISSUE PERMITS FOR MOVEMENT OF VEHICLES OF SIZE AND WEIGHT IN  
30 EXCESS OF THE RESTRICTIONS PROMULGATED UNDER SUBSECTION (A) WITH

1 RESPECT TO HIGHWAYS [AND BRIDGES] UNDER THEIR JURISDICTION,  
2 CONDITIONED UPON THE EXECUTION OF A [SURETY] BOND WITH OR  
3 WITHOUT SURETY BY THE USER IN FAVOR OF THE DEPARTMENT OR LOCAL  
4 AUTHORITIES TO COVER THE COST OF REPAIRS NECESSITATED BY THE  
5 MOVEMENT.

6 (C) RESTRICTIONS FROM TRAFFIC CONDITIONS.--THE DEPARTMENT  
7 AND LOCAL AUTHORITIES WITH RESPECT TO HIGHWAYS AND BRIDGES UNDER  
8 THEIR JURISDICTIONS MAY PROHIBIT THE OPERATION OF VEHICLES AND  
9 MAY IMPOSE RESTRICTIONS AS TO THE WEIGHT OR SIZE OF VEHICLES  
10 OPERATED UPON A HIGHWAY OR BRIDGE BY REASON OF HAZARDOUS TRAFFIC  
11 CONDITIONS OR OTHER SAFETY FACTORS. SCHOOL BUSES, EMERGENCY  
12 VEHICLES AND VEHICLES MAKING LOCAL DELIVERIES MAY BE EXEMPTED  
13 FROM RESTRICTIONS ON HIGHWAYS IMPOSED UNDER THIS SUBSECTION.

14 (D) DESIGNATION OF ALTERNATE ROUTES.--IN CONJUNCTION WITH  
15 THE EXERCISE OF THE POWERS SET FORTH IN SUBSECTION (A) OR (C),  
16 THE DEPARTMENT MAY DESIGNATE VEHICLES IN EXCESS OF SPECIFIED  
17 WEIGHTS OR SIZES TO UTILIZE A PORTION OF THE PENNSYLVANIA  
18 TURNPIKE AS AN ALTERNATE ROUTE TO ANY HIGHWAY OR BRIDGE FROM  
19 WHICH THOSE VEHICLES HAVE BEEN PROHIBITED OR RESTRICTED.

20 [(d)] (E) Erection of signs.--The department and the local <—  
21 authorities shall erect or cause to be erected and maintained  
22 signs designating the restrictions at each end of that portion  
23 of any highway or bridge restricted as provided in subsections  
24 (a) and (c) and at the nearest intersection in each direction of  
25 the restricted highway or of the highway leading to the  
26 restricted bridge with the highway on which the restricted  
27 vehicles may be operated. The restrictions shall not be  
28 effective unless signs are erected and maintained in accordance  
29 with this subsection.

30 [(e)] (F) Penalty.--

<—

1           (1) Any person operating a vehicle or combination upon a  
2 highway or bridge in violation of a prohibition or  
3 restriction imposed under subsection (a) is guilty of a  
4 summary offense and shall, upon conviction, be sentenced to  
5 pay a fine of \$75. In addition, any person operating a  
6 vehicle with a gross weight in excess of the posted weight  
7 shall be sentenced to pay a fine of \$75 for each 500 pounds,  
8 or part thereof, in excess of 3,000 pounds over the maximum  
9 allowable weight.

10           (2) Any person operating a vehicle or combination in  
11 violation of a prohibition or restriction imposed under  
12 subsection (c) is guilty of a summary offense and shall, upon  
13 conviction, be sentenced to pay a fine of not less than \$25  
14 but not more than \$100.

15 § 4903. Securing loads in vehicles.

16 \* \* \*

17 (c) Load of logs.--Every load of logs on a vehicle shall be  
18 securely fastened with at least three binders, chains or straps  
19 and, in the case of an open-body or stake-body vehicle, trailer  
20 or semitrailer there shall be a sufficient number of vertical  
21 metal stakes or posts securely attached [on each side of] to the  
22 vehicle, trailer or semitrailer at least as high as the top of  
23 the load to secure such load in the event of a failure of the  
24 binders, chains or straps.

25 \* \* \*

26 § 4904. Limits on number of towed vehicles.

27 \* \* \*

28 (c) Towing vehicles requiring service.--

29           (1) A dolly not exceeding ten feet in length may be  
30 towed by a motor vehicle for the purpose of towing another

vehicle requiring service.

(2) A combination requiring emergency service may be towed to a nearby garage or other place of safety.

\* \* \*

§ 4921. Width of vehicles.

(a) General rule.--The total outside width of a vehicle, including any load, shall not exceed eight feet except as otherwise provided in this section.

(b) **[Farm]** SPECIAL vehicles.--[Any implement of husbandry or vehicle loaded with vegetable produce or forage crops and not exceeding ten feet in width may operate between sunrise and sunset on highways other than freeways.] <—

(1) Any implement of husbandry or vehicle loaded with vegetable produce or forage crops and not exceeding ten feet in width may be ~~operated~~ DRIVEN, hauled or towed between sunrise and sunset on highways other than freeways. <—

(2) Any implement of husbandry not exceeding 14 feet 6 inches in width may be DRIVEN, hauled or towed between sunrise and sunset on highways other than freeways between: <—

(i) Parts of one farm owned or operated by the owner of the implement of husbandry.

(ii) Farms owned or operated by the owner of the implement of husbandry located not more than 25 miles apart.

(iii) A farm or farms ~~owned or operated by the owner of the implement of husbandry~~ and a PLACE OF BUSINESS OF A mechanic or dealer in implements of husbandry located within a radius of 25 miles from the farm or farms for the purpose of buying, selling, trading, lending, demonstrating, repairing or servicing of the vehicle. <—



1           (3) SPECIAL MOBILE EQUIPMENT NOT EXCEEDING NINE FEET TWO <—  
2           INCHES IN WIDTH MAY BE DRIVEN, HAULED OR TOWED BETWEEN  
3           SUNRISE AND SUNSET ON HIGHWAYS OTHER THAN FREEWAYS.

4           ~~(3) The driver shall drive as close to the right side of~~ <—  
5           ~~the highway as possible.~~

6           (4) THE DEPARTMENT MAY REGULATE THE OPERATION OF SPECIAL <—  
7           VEHICLES SUBJECT TO THIS SUBSECTION WHICH REGULATIONS MAY  
8           PROHIBIT THE OPERATION OF SPECIAL VEHICLES ON CERTAIN DAYS OR  
9           DURING CERTAIN HOURS.

10          (c) Buses.--

11           (1) Any bus [operated wholly within a municipality, <—  
12           where permitted by the municipality; or in more than one  
13           municipality, where approved by the Public Utility  
14           Commission] may have] HAVING a total outside width not [to <—  
15           exceed] EXCEEDING eight feet six inches [when operated upon a <—  
16           highway having] MAY BE DRIVEN UPON STATE HIGHWAYS DESIGNATED <—  
17           BY THE DEPARTMENT AND UPON LOCAL HIGHWAYS DESIGNATED BY LOCAL  
18           AUTHORITIES WHICH HAVE traffic-lane widths of not less than  
19           ten feet.

20           (2) THE WIDTH LIMITATIONS OF THIS SECTION DO NOT APPLY <—  
21           TO TROLLEY BUSES BEING OPERATED ON ROUTES WHICH WERE  
22           ESTABLISHED PRIOR TO JULY 1, 1977.

23          (d) Nondivisible loads.--Vehicles carrying nondivisible  
24          loads not exceeding eight feet six inches in width may operate  
25          on any highway having a roadway width of 20 feet or more. This  
26          subsection does not apply on the National System of Interstate  
27          and Defense Highways.

28          (e) Mirrors and sunshades.--Mirrors and sunshades may extend  
29          beyond the maximum width of a vehicle as follows:

30           (1) Mirrors may extend on each side a maximum of six

1 inches beyond the width of the vehicle, trailer or load,  
2 [whichever is greater.] or, in the case of a truck or truck  
3 tractor, beyond the maximum allowable width, whichever is  
4 greater.

5 (2) Sunshades may extend a maximum of six inches on each  
6 side of the vehicle.

7 ~~(f) Tires. Tires of a truck, truck tractor or trailer may~~ <—  
8 ~~extend on each side a maximum of six inches beyond the width of~~  
9 ~~the load, or, in the case of a truck or truck tractor, beyond~~  
10 ~~the maximum allowable width, whichever is greater.~~

11 ~~†(f)† (g)~~ Exceptions.--The provisions of this subchapter <—  
12 governing the width of vehicles do not apply to street sweepers  
13 and snow removal equipment.

14 § 4923. LENGTH OF VEHICLES. <—

15 (A) GENERAL RULE.--NO MOTOR VEHICLE, INCLUDING ANY LOAD AND  
16 BUMPERS, SHALL EXCEED AN OVERALL LENGTH OF 40 FEET, AND NO  
17 COMBINATION, INCLUDING ANY LOAD AND BUMPERS, SHALL EXCEED AN  
18 OVERALL LENGTH OF 55 FEET.

19 (B) EXCEPTIONS.--THE LIMITATIONS OF (A) DO NOT APPLY TO THE  
20 FOLLOWING:

21 (1) ANY MOTOR VEHICLE EQUIPPED WITH A BOOM OR BOOM-LIKE  
22 DEVICE IF THE VEHICLE DOES NOT EXCEED 55 FEET.

23 (2) THE LOAD ON A COMBINATION DESIGNED EXCLUSIVELY FOR  
24 CARRYING MOTOR VEHICLES IF THE OVERALL LENGTH OF THE  
25 COMBINATION AND LOAD DOES NOT EXCEED 60 FEET AND DRIVEWAY-  
26 TOWAWAY OPERATIONS WHICH DO NOT EXTEND 60 FEET.

27 (3) ANY COMBINATION TRANSPORTING ARTICLES WHICH DO NOT  
28 EXCEED 70 FEET IN LENGTH AND ARE NONDIVISIBLE AS TO LENGTH.

29 § 4924. Limitations on length of projecting loads.

30 (a) General rule.--Subject to the provisions of this

1 subchapter limiting the length of vehicles and loads, the load  
2 upon any vehicle operated alone or the load upon the front  
3 vehicle of a combination [of vehicles] shall not extend more  
4 than three feet beyond the foremost part of the vehicle, and the  
5 load upon any vehicle operated alone or the load, other than a  
6 nondivisible load, upon the rear vehicle of a combination shall  
7 not extend more than six feet beyond the rear of the bed or body  
8 of such vehicle.

9 \* \* \*

10 § 4942. Registered gross weight.

11 \* \* \*

12 (A) SINGLE VEHICLE [LIMITS].--NO VEHICLE REGISTERED AS A  
13 TRUCK[, A COMBINATION] OR [A] TRAILER SHALL BE OPERATED WITH A  
14 GROSS WEIGHT IN EXCESS OF ITS REGISTERED GROSS WEIGHT.

15 [(B) TRUCK TOWING TRAILER.--NO VEHICLE REGISTERED AS A TRUCK  
16 SHALL BE OPERATED WITH A GROSS WEIGHT, EXCLUSIVE OF ANY TRAILER  
17 BEING TOWED, IN EXCESS OF ITS REGISTERED GROSS WEIGHT AS A  
18 TRUCK.

19 (C)] (B) COMBINATION.--NO COMBINATION CONTAINING A TRAILER  
20 HAVING A GROSS WEIGHT OR REGISTERED GROSS WEIGHT IN EXCESS OF  
21 10,000 POUNDS SHALL BE OPERATED WITH A GROSS WEIGHT IN EXCESS OF  
22 THE REGISTERED GROSS WEIGHT OF THE TRUCK OR TRUCK TRACTOR FOR A  
23 COMBINATION, OR IN THE CASE OF TRUCK OR TRUCK TRACTOR REGISTERED  
24 IN A JURISDICTION WHICH DOES NOT REGISTER TRUCKS OR TRUCK  
25 TRACTORS FOR A COMBINATION, A GROSS WEIGHT IN EXCESS OF THE SUM  
26 OF THE REGISTERED GROSS WEIGHT OF THE TRUCK OR TRUCK TRACTOR AND  
27 THE REGISTERED GROSS WEIGHT OF THE TRAILER.

28 ~~(d) Reciprocal enforcement. The registered gross weight of~~  
29 ~~a vehicle registered in another state may be enforced under this~~  
30 ~~section pursuant to the terms of a reciprocity agreement with~~

1 ~~the state in which the vehicle is registered.~~

2 § 4943. Maximum axle weight of vehicles.

3 \* \* \*

4 (A) GENERAL RULE.--NO MOTOR VEHICLE OR COMBINATION SHALL, <—  
5 WHEN OPERATED UPON A HIGHWAY, HAVE A WEIGHT UPON [EACH] EITHER  
6 OF TWO ADJACENT AXLES IN EXCESS OF THE FOLLOWING:

7 MAXIMUM AXLE WEIGHT IN POUNDS UPON:

8 IF THE CENTER-TO CENTER

9	DISTANCE BETWEEN TWO	ONE OF TWO	OTHER OF TWO
10	ADJACENT AXLES IS:	ADJACENT AXLES	ADJACENT AXLES
11	UNDER 6 FEET	18,000	18,000
12	6 TO 8 FEET	18,000	22,400
13	OVER 8 FEET	22,400	22,400

14 (B) GROSS WEIGHT.--NO MOTOR VEHICLE SHALL BE DRIVEN WITH A GROSS <—  
15 WEIGHT IN EXCESS OF THE SUM OF THE ALLOWABLE AXLE WEIGHTS AS SET FORTH  
16 IN THIS SECTION.

17 ~~[(b)]~~ (C) Location of front axle of semitrailer.--No <—  
18 semitrailer, originally in this Commonwealth on or after  
19 September 1, [1973] 1963, and having two or more axles, shall be  
20 operated upon a highway unless the foremost axle of the  
21 semitrailer is at least 12 feet from the rearmost axle of the  
22 towing vehicle.

23 (D) EXCEPTIONS.--THE LIMITATIONS OF THIS SECTION DO NOT <—  
24 APPLY TO SPECIAL MOBILE EQUIPMENT OR GARBAGE TRUCKS OPERATED ON  
25 HIGHWAYS OTHER THAN THE NATIONAL SYSTEM OF INTERSTATE AND  
26 DEFENSE HIGHWAYS.

27 § 4944. Maximum wheel load.

28 No motor vehicle or combination shall, when operated upon a  
29 highway, have a weight upon any one wheel in excess of 800  
30 pounds for each nominal inch of width of tire on the wheel.

1 § 4945. PENALTIES FOR EXCEEDING MAXIMUM WEIGHTS. <—

2 (A) GROSS WEIGHT VIOLATIONS.--ANY PERSON [OPERATING] DRIVING  
3 A VEHICLE OR COMBINATION UPON A HIGHWAY EXCEEDING THE MAXIMUM  
4 GROSS WEIGHT ALLOWED BY SECTION 4941 (RELATING TO MAXIMUM GROSS  
5 WEIGHT OF VEHICLES) OR THE REGISTERED GROSS WEIGHT ALLOWED BY  
6 SECTION 4942 (RELATING TO REGISTERED GROSS WEIGHT) OR A GROSS  
7 WEIGHT IN EXCESS OF THE SUM OF THE AXLE WEIGHTS ALLOWED BY  
8 SECTION 4943 (RELATING TO MAXIMUM AXLE WEIGHT OF VEHICLES),  
9 WHICHEVER IS LESS, IS GUILTY OF A SUMMARY OFFENSE AND SHALL,  
10 UPON CONVICTION, BE SENTENCED TO PAY A FINE OF \$75 PLUS \$75 FOR  
11 EACH 500 POUNDS, OR PART THEREOF, IN EXCESS OF 3,000 POUNDS OVER  
12 THE MAXIMUM [OR] GROSS WEIGHT, THE REGISTERED GROSS WEIGHT  
13 [ALLOWED] OR THE SUM OF THE ALLOWABLE AXLE WEIGHTS. IF THE GROSS  
14 WEIGHT OF ANY VEHICLE OR COMBINATION EXCEEDS 73,280 POUNDS, THE  
15 FINE IMPOSED UNDER THIS SUBSECTION SHALL BE [DOUBLE THE AMOUNT  
16 FOR OTHER WEIGHT VIOLATIONS] DOUBLED.

17 \* \* \*

18 § 4946. Impoundment of vehicles for nonpayment of overweight  
19 fines.

20 (a) General rule.--Upon imposition of any fine and costs of  
21 prosecution imposed pursuant to SECTION 4902 (RELATING TO <—  
22 RESTRICTIONS ON USE OF HIGHWAYS AND BRIDGES) OR section 4945  
23 (relating to penalties for exceeding maximum weights), the  
24 driver shall be allowed [24] 12 hours to obtain the funds and <—  
25 pay the fine and costs of prosecution, during which time the  
26 vehicle or combination shall be rendered temporarily inoperative  
27 by such police officer, sheriff or constable as the issuing  
28 authority shall designate. On default of payment within the [24- <—  
29 hour] 12-HOUR period, the issuing authority shall impound the <—  
30 vehicle or combination and order a police officer to seize them.



1       \* \* \*

2       (b) [Display of permit] Driver to exhibit permit.--Every  
3 permit shall be carried in the towing vehicle and shall be [open  
4 to inspection by] exhibited to any police officer or authorized  
5 agent of the issuing agency or any person having an accident  
6 involving a permitted vehicle or combination.

7       \* \* \*

8       (d) Special escort services.--The department or local  
9 authorities shall specify [what] which movements require special  
10 escort services of [the Pennsylvania State Police] police or  
11 department personnel.

12       \* \* \*

13   § 4963. EXEMPTIONS FOR VEHICLES USED IN STATE HIGHWAY  
14               CONSTRUCTION.

<—

15       NO SPECIAL PERMIT SHALL BE REQUIRED FOR MOVEMENT ACROSS, UPON  
16 OR ALONG [STATE OR STATE-AID HIGHWAYS FOR] ANY HIGHWAY IN A  
17 STATE HIGHWAY CONSTRUCTION OR IMPROVEMENT PROJECT OF OVERSIZE OR  
18 OVERWEIGHT VEHICLES OF [A] THE DEPARTMENT OR ITS CONTRACTOR USED  
19 [FOR THE CONSTRUCTION OR IMPROVEMENT OF SUCH HIGHWAYS.] IN THE  
20 PROJECT.

21   § 4965. Single permits for multiple highway crossings.

22       (a) General rule.--A single permit may be issued for [a  
23 number of] movements across the highway at specified locations  
24 within a fixed period of time [of vehicles or combinations]:

25           (1) of vehicles, combinations or loads thereon exceeding  
26 the maximum size or weight specified in this chapter; or

27           (2) of unregistered vehicles or combinations used to  
28 cross a highway to get from one commercial OR industrial  
29 facility to another commercial OR industrial facility under  
30 the same operation.

<—

<—

1        (b) Unlawful to move MOVEMENT along highway PROHIBITED.--        <—

2        Whenever a permit is issued for crossing the highway, it is  
3        unlawful to move the vehicles along the highway.

4        § 4966. Permit for movement of quarry or mining equipment.

5        An annual permit may be issued for the movement of a piece of  
6        quarry or mining equipment or machinery exceeding the maximum  
7        size or weight specified in this chapter across any highway from  
8        one part of a quarry or mine to another, or upon the highways  
9        connecting by the most direct route any quarries or portions of  
10       quarries, or mines or portions of mines, under single ownership  
11       or operation, but no permit shall be issued for the movement of  
12       equipment or machinery for a distance greater than ~~one-half~~       <—  
13       ~~mile~~ five miles.       <—

14       § 4967. Permit for movement of implements of husbandry.

15       An annual permit may be issued for the operation or movement  
16       between sunrise and sunset of one or more oversized ~~self-~~       <—  
17       ~~propelled~~ implements of husbandry which do not exceed 14 feet 6  
18       inches in width if the movement is limited to a radius of 25  
19       miles from the [dealer's] OWNER'S place of business [or       <—  
20       owner's], home or farm. No permit shall be issued for the       <—  
21       movement of any implement of husbandry with a width in excess of  
22       eight feet upon a freeway.

23       § 4968. PERMIT FOR MOVEMENT OF EQUIPMENT BEING MANUFACTURED.       <—

24       AN ANNUAL PERMIT MAY BE ISSUED AUTHORIZING THE MANUFACTURER  
25       OF BOATS, MOBILE HOMES, CRANES, HELICOPTERS, RAILWAY EQUIPMENT  
26       AND RAILS OR OTHER ARTICLES OR COMBINATIONS NOT NORMALLY USED ON  
27       HIGHWAYS TO MOVE ARTICLES WHICH EXCEED THE MAXIMUM HEIGHT, WIDTH  
28       OR LENGTH SPECIFIED IN SUBCHAPTER B (RELATING TO WIDTH, HEIGHT  
29       AND LENGTH) OR THE MAXIMUM WEIGHT SPECIFIED IN SUBCHAPTER C  
30       (RELATING TO MAXIMUM WEIGHTS OF VEHICLES) WHILE THEY ARE IN THE



1 COURSE OF MANUFACTURE AND WHILE THEY ARE ENTIRELY WITHIN THE  
2 CONTROL OF THE MANUFACTURER AND NOT IN TRANSIT FROM THE  
3 MANUFACTURER TO A PURCHASER OR DEALER. A PERMIT SHALL NOT BE  
4 ISSUED FOR THE MOVEMENT OF ARTICLES UPON A FREEWAY. ARTICLES NOT  
5 IN EXCESS OF TEN FEET IN WIDTH MAY BE MOVED UP TO 50 MILES ON A  
6 PERMIT. LARGER ARTICLES MAY BE MOVED NO FARTHER THAN TEN MILES  
7 ON A PERMIT.

8 § 4970. PERMIT FOR MOVEMENT OF [UTILITY] CONSTRUCTION  
9 EQUIPMENT.

10 [A PERMIT] PERMITS MAY BE ISSUED FOR THE DURATION OF A SINGLE  
11 CONSTRUCTION PROJECT, BUT NOT EXCEEDING ONE YEAR, AUTHORIZING A  
12 GOVERNMENT AGENCY OR AUTHORITY OR PUBLIC UTILITY OR [ITS] THEIR  
13 CONTRACTORS OR SUBCONTRACTORS TO MOVE OVERSIZED OR OVERWEIGHT  
14 CONSTRUCTION EQUIPMENT ACROSS OR UPON HIGHWAYS IMMEDIATELY  
15 ADJACENT TO THE CONSTRUCTION SITE AND BETWEEN THE CONSTRUCTION  
16 SITE AND THE BASE OF OPERATIONS OF THE AGENCY, AUTHORITY,  
17 UTILITY COMPANY, CONTRACTOR OR SUBCONTRACTOR.

18 § 4971. PENALTY FOR VIOLATION OF SUBCHAPTER.

19 ANY PERSON VIOLATING THE PROVISIONS OF THIS SUBCHAPTER IS  
20 GUILTY OF A SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE  
21 SENTENCED TO PAY A FINE OF \$150. THE PENALTY IMPOSED UNDER THIS  
22 SECTION SHALL BE IN ADDITION TO ANY OTHER PENALTY IMPOSED UNDER  
23 THIS TITLE.

24 § 4981. Weighing and measurement of vehicles.

25 (a) Authority of police officer.--Any police officer is  
26 authorized to require the driver of any vehicle or combination  
27 to stop and submit the vehicle or combination to be measured and  
28 weighed. Weighing may be done by using either portable or  
29 stationary scales. The [measurement and] weighing shall be  
30 conducted by qualified personnel who have been trained in the

1 use of weighing [and measuring] equipment in a training program  
2 approved by the Department of Agriculture. A police officer may  
3 require that a vehicle or combination be driven to the nearest  
4 stationary scales if the scales are within two miles.

5 \* \* \*

6 (B) STATIONARY SCALES ON FREEWAYS.--THE DEPARTMENT OF  
7 TRANSPORTATION, IN COOPERATION WITH THE PENNSYLVANIA STATE  
8 POLICE, SHALL MAINTAIN ON FREEWAYS AT POINTS WHICH IT DEEMS  
9 NECESSARY STATIONARY SCALES AND OTHER EQUIPMENT FOR DETECTING  
10 VIOLATIONS OF THE SIZE AND WEIGHT LIMITATIONS PRESCRIBED BY THIS  
11 CHAPTER. THE DEPARTMENT MAY ALSO CONTRACT WITH LOCAL AUTHORITIES  
12 TO USE THEIR STATIONARY SCALES.

13 (c) Weighing of wheels or axles.--If a vehicle is weighed in  
14 multiple drafts, or if only a single wheel or axle or pair of  
15 axles is weighed, a tolerance of [1%] 3% shall be allowed.

16 [(d) Reweighing at request of driver or owner.--Whenever  
17 scales operated by other than the department ~~or a public~~  
18 ~~weighmaster certified by the Department of Agriculture~~ indicate  
19 that a vehicle, wheel, axle or pair of axles is overweight, the  
20 driver or owner may elect to have the vehicle reweighed on the  
21 nearest available {official} ~~certified stationary~~ scales {which  
22 have been sealed by the Department of Agriculture} ~~of a public~~  
23 ~~weighmaster~~. The lower reading of the two scales shall determine  
24 whether charges shall be filed under this section.]

25 (D) REWEIGHING AT REQUEST OF DRIVER OR OWNER.--

26 (1) WHENEVER SCALES OTHER THAN THOSE CERTIFIED BY THE  
27 DEPARTMENT OF AGRICULTURE INDICATE THAT A VEHICLE, WHEEL,  
28 AXLE OR PAIR OF AXLES IS OVERWEIGHT, THE DRIVER OR OWNER MAY  
29 ELECT TO HAVE THE VEHICLE REWEIGHED ON THE NEAREST AVAILABLE  
30 CERTIFIED SCALES OF A PUBLIC WEIGHMASTER. THE LOWER READING

1 OF THE TWO SCALES SHALL DETERMINE WHETHER CHARGES SHALL BE  
2 FILED UNDER THIS SECTION.

3 (2) IF A VEHICLE, WHEEL, AXLE OR PAIR OF AXLES IS  
4 INDICATED TO BE OVERWEIGHT ON SCALES CERTIFIED BY THE  
5 DEPARTMENT OF AGRICULTURE BUT THE VEHICLE'S LOAD WEIGHT SLIP  
6 INDICATES A WEIGHT THAT WOULD RESULT IN A LESSER OR NO FINE,  
7 THE OWNER OR DRIVER MAY ELECT TO HAVE THE VEHICLE REWEIGHED  
8 AT THE NEAREST AVAILABLE CERTIFIED SCALES OF A PUBLIC  
9 WEIGHMASTER. THE LOWER READING OF THE TWO CERTIFIED SCALES  
10 SHALL DETERMINE WHETHER CHARGES SHALL BE FILED UNDER THIS  
11 SECTION.

12 (3) IN EITHER OF THE CASES ENUMERATED IN PARAGRAPHS (1)  
13 AND (2) WHERE THE DRIVER OR OWNER ELECTS TO BE REWEIGHED, AND  
14 THE REWEIGHING INDICATES A WEIGHT THAT WOULD RESULT IN A FINE  
15 THE SAME OR GREATER THAN THAT INDICATED BY THE ORIGINAL  
16 WEIGHING, AN ADDITIONAL FINE OF \$100, OR \$5 PER MILE TO THE  
17 PUBLIC WEIGHMASTER'S SCALE, WHICHEVER IS GREATER, SHALL BE  
18 ASSESSED.

19 (E) NONCOMPLIANCE BY DRIVER.--UPON REFUSAL OF A DRIVER TO <—  
20 SUBMIT A VEHICLE TO WEIGHING UNDER THIS SECTION, THE POLICE  
21 OFFICER SHALL BE AUTHORIZED TO TAKE SUCH MEASURES AS MAY BE  
22 NECESSARY TO HAVE THE VEHICLE WEIGHED. ANY COSTS INCURRED IN  
23 WEIGHING THE VEHICLE SHALL BE PAID BY THE DRIVER TO THE PERSON  
24 INCURRING THE COSTS OR TO THE ISSUING AUTHORITY FOR PAYMENT TO  
25 THE PERSON INCURRING THE COSTS.

26 § 4982. Reducing or readjusting loads of vehicles.

27 (a) Violation of weight limitations.--If the gross weight or  
28 the weight upon any wheel, tire, axle or group of axles of a  
29 vehicle or combination exceeds the maximum allowed, the driver  
30 shall reduce or readjust the load so that the gross weight and

1 the weight upon each wheel, tire, axle or group of axles will  
2 not exceed the maximum weights permitted under this chapter.

3 (b) Violation of size limitations.--If the load upon any  
4 vehicle or combination is such that the size limitations of this  
5 chapter are exceeded, the driver shall reduce or reposition the  
6 load so that it does not exceed the size limitations.

7 [(c) Load adjustment to avoid prosecution.--If the gross  
8 weight of the vehicle or combination does not exceed the maximum  
9 allowable gross weight and the weight upon any axle or group of  
10 axles is not more than 3% in excess of the maximum allowable  
11 axle weight, the operator shall be allowed four hours to adjust  
12 the position of the load so that the weight upon all wheels,  
13 tires, axles and groups of axles does not exceed the maximum  
14 allowable weights. If the load is so rearranged no arrest shall  
15 be made or prosecution brought for violation of Subchapter C  
16 (relating to maximum weights of vehicles).]

17 [(d)] (c) Load incapable of reduction.--If the load on any  
18 vehicle or combination is such that it is incapable of reduction  
19 or dismemberment and is otherwise eligible to move under permit  
20 as provided in Subchapter D (relating to special permits for  
21 excessive size and weight), a valid permit shall be obtained  
22 before any further movement of a vehicle or combination in  
23 violation of the limitations of this chapter.

24 [(e)] (d) Responsibility of owner or driver.--All material  
25 unloaded and any vehicle or combination parked awaiting a permit  
26 shall be cared for by the owner or driver at the risk of the  
27 owner or driver.

28 § 4983. PENALTY FOR VIOLATION OF SUBCHAPTER.

<—

29 ANY DRIVER WHO FAILS OR REFUSES TO COMPLY WITH THE  
30 REQUIREMENTS OF A POLICE OFFICER GIVEN PURSUANT TO THIS

1 SUBCHAPTER IS GUILTY OF A SUMMARY OFFENSE AND SHALL, UPON  
2 CONVICTION, BE SENTENCED TO PAY A FINE OF [\$100] \$1,000.

3 § 6104. Administrative duties of department.

4 (a) Forms.--The department shall prescribe and provide  
5 suitable forms of applications, certificates of title,  
6 registration cards, drivers' licenses and all other forms  
7 requisite or deemed necessary to carry out the provisions of  
8 this title, except Chapter 77 (relating to snowmobiles), and any  
9 other laws the administration of which is vested in the  
10 department.

11 \* \* \*

12 § 6105. Department to prescribe [traffic and] engineering  
13 [investigations] and traffic studies.

14 The department may establish by regulation the manner in  
15 which [traffic and] engineering [investigations] and traffic  
16 studies shall be carried out. The department may specify  
17 particular actions which require [traffic and] engineering  
18 [investigations] and traffic studies. No action shall become  
19 effective until the [investigation] study has been properly  
20 completed.

21 § 6109. Specify powers of department and local authorities.

22 (a) Enumeration of police powers.--The provisions of this  
23 title shall not be deemed to prevent the department on State-  
24 designated highways and local authorities on streets or highways  
25 within their physical boundaries from the reasonable exercise of  
26 their police powers IN ANY MANNER NOT INCONSISTENT WITH THE  
27 PROVISIONS OF THIS TITLE. The following are presumed to be  
28 reasonable exercises of police power:

29 (1) Regulating or prohibiting stopping, standing or  
30 parking.

1           (2) Regulating traffic by means of police officers or  
2 official traffic-control devices.

3           (3) Regulating or prohibiting processions or assemblages  
4 on highways.

5           (4) Designating particular highways or roadways for use  
6 by traffic moving in one direction as authorized in section  
7 3308 (relating to one-way roadways and rotary traffic  
8 islands).

9           (5) Establishing speed limits for vehicles in public  
10 parks.

11           (6) Designating any highway as a through highway or  
12 designating any intersection or junction of roadways as a  
13 stop or yield intersection or junction.

14           (7) Prohibiting or restricting the use of highways at  
15 particular places or by particular classes of vehicles  
16 whenever the highway or portion of the highway may be  
17 seriously damaged by the use or the movement of the vehicles  
18 would constitute a safety hazard.

19           (8) Regulating the operation of pedalcycles and  
20 requiring their registration and inspection, and the payment  
21 of a reasonable registration fee.

22           (9) Regulating or prohibiting the turning of vehicles or  
23 specified types of vehicles as authorized in section 3331  
24 (relating to required position and method of turning).

25           (10) Altering or establishing speed limits as authorized  
26 in Subchapter F of Chapter 33 (relating to speed  
27 restrictions).

28           (11) Enforcement of speed restrictions authorized under  
29 Subchapter F of Chapter 33, except that speed restrictions  
30 may be enforced by local police on a limited access [or

1 divided] highway only if it is patrolled by the local police  
2 force under the terms of an agreement with the Pennsylvania  
3 State Police.

4 (12) Designating no-passing zones as authorized in  
5 section 3307 (relating to no-passing zones).

6 (13) Prohibiting or regulating the use of designated  
7 streets by any class or kind of traffic.

8 (14) Establishing minimum speed limits as authorized in  
9 section 3364 (relating to minimum speed regulation).

10 (15) Regulating and temporarily prohibiting traffic on  
11 streets closed or restricted for USE AS PLAY HIGHWAYS OR FOR <—  
12 construction, maintenance or special events.

13 (16) Prohibiting pedestrians from crossing a roadway in  
14 a business district or any designated highway except in a  
15 crosswalk.

16 (17) Restricting pedestrian crossings at unmarked  
17 crosswalks.

18 (18) Regulating persons propelling push carts.

19 (19) Regulating persons upon skates, coasters, sleds and  
20 other toy vehicles.

21 (20) Adopting and enforcing such temporary or  
22 experimental regulations ON A SEASONAL OR LIMITED TIME BASIS, <—  
23 AND TEMPORARY REGULATIONS as [may be] necessary [to cover] IN <—  
24 CASE OF emergencies or special conditions.

25 (21) Regulating the operation of streetcars, the passing  
26 of streetcars by other vehicles and the driving upon  
27 streetcar tracks by other vehicles.

28 (22) Providing for and establishing procedures governing  
29 the removal and impounding of any vehicle parked on the  
30 highways or public property of the local authority in

1 violation of any local ordinance adopted pursuant to the  
2 authority of this title or of any of the provisions of this  
3 title.

4 (23) Adopting such other traffic regulations as are  
5 specifically authorized by this title.

6 (B) ACTION BY LOCAL AUTHORITIES.--

<—

7 (1) ACTION TAKEN BY LOCAL AUTHORITIES UNDER THIS SECTION  
8 SHALL BE:

9 [(1)] (I) BY ORDINANCE OF THE LOCAL GOVERNING BODY;

10 OR

11 [(2)] (II) BY ORDER OF A COMMISSION OR PUBLIC  
12 OFFICIAL AUTHORIZED BY CHARTER OR ORDINANCE TO ACT ON  
13 SPECIFIED MATTERS.

14 (2) THE SPECIFIC LOCATIONS OF TRAFFIC-CONTROL DEVICES  
15 NEED NOT BE SET OUT IN AN ORDINANCE OR ORDER WHERE SPECIFIC  
16 LOCATIONS OF THEIR PLACEMENT OR REMOVAL ARE AUTHORIZED BY  
17 ACTION OF THE LOCAL GOVERNING BODY, COMMISSION OR PUBLIC  
18 OFFICIAL AND AN INDEXED OR ALPHABETICAL LISTING OF ALL SUCH  
19 LOCATIONS, WITH DATE OF OFFICIAL ACTION, IS MAINTAINED AS AN  
20 OFFICIAL RECORD OF THE LOCAL AUTHORITY.

21 (3) THIS SUBSECTION DOES NOT APPLY TO TEMPORARY  
22 REGULATIONS ADOPTED UNDER SUBSECTION (A)(20) FOR EMERGENCIES  
23 OR SPECIAL CONDITIONS.

24 (C) WHEN TRAFFIC-CONTROL DEVICES REQUIRED.--NO REGULATION OR  
25 ORDINANCE ENACTED UNDER SUBSECTION (A)(1), (4), (5), (6), (7),  
26 (9), (10), (11), (12), (13), (14), (15) OR (16) [OR (21)] SHALL  
27 BE EFFECTIVE UNTIL OFFICIAL TRAFFIC-CONTROL DEVICES GIVING  
28 NOTICE OF THE TRAFFIC REGULATIONS OR ORDINANCES ARE ERECTED UPON  
29 OR AT THE ENTRANCES TO THE HIGHWAY OR PART THEREOF AFFECTED AS  
30 MAY BE MOST APPROPRIATE.



1       \* \* \*

2       (e) Engineering and traffic [investigation] study  
3 required.--Action by local authorities under this section shall  
4 be taken only after completing an engineering and traffic  
5 [investigation] study when and in such manner as required by  
6 regulations promulgated by the department.

7 § 6112. [Removal of traffic] Traffic hazards by property owner.

8       (a) General rule.--No person shall PLACE ANY LIGHTING DEVICE <—  
9 OR plant or place any tree, plant, shrub or other obstruction  
10 which, by obstructing the view of any driver or in any other  
11 manner, constitutes a traffic hazard.

12       [(a) General rule] (b) Removal of hazard.--It is the duty  
13 of the owner of real property to remove from the property any  
14 LIGHTING DEVICE OR tree, plant, shrub or other [similar] <—  
15 obstruction, or part thereof, which, by obstructing the view of  
16 any driver or in any other manner, constitutes a traffic hazard.

17       [(b)] (c) Notice of hazard.--When the department or any  
18 local authority determines on the basis of an engineering and  
19 traffic [investigation] study that a traffic hazard exists, it  
20 shall [notify], by certified mail, order the owner [and order]  
21 to remove the hazard [removed] within ten days.

22       [(c)] (d) Penalty.--The failure of the owner to remove the  
23 traffic hazard within ten days after notice under subsection  
24 [(b)] (c) is a summary offense and every day the owner fails to  
25 remove it shall be a separate and distinct offense. The offense  
26 is punishable by a fine of \$10.

27 § 6122. Authority to erect traffic-control devices.

28       (a) General rule.--The department on State-designated  
29 highways and local authorities on any highway within their  
30 boundaries may erect official traffic-control devices, which

1 shall be installed and maintained in conformance with the manual  
2 and regulations published by the department upon all highways as  
3 required to carry out the provisions of this title or to  
4 regulate, restrict, direct, warn, prohibit or guide traffic.

5 (1) Local authorities shall obtain approval of the  
6 [department]:

7 (I) DEPARTMENT prior to erecting [an] ANY official <—  
8 traffic-control device on a State-designated highway  
9 except where department regulations provide otherwise.

10 (II) COUNTY PRIOR TO ERECTING ANY OFFICIAL TRAFFIC- <—  
11 CONTROL DEVICE ON A COUNTY HIGHWAY.

12 (2) Local authorities shall obtain approval of the  
13 department prior to erecting any traffic-~~control~~ signal ON A <—  
14 LOCAL HIGHWAY except in a municipality with a traffic  
15 engineer qualified in accordance with department regulations.

16 (B) STANDARDS FOR DEPARTMENT APPROVAL.--THE DEPARTMENT SHALL <—  
17 PROMULGATE RULES AND REGULATIONS SETTING FORTH MINIMUM STANDARDS  
18 AND FACTORS TO BE CONSIDERED IN DETERMINING WHETHER APPROVAL  
19 SHALL BE GIVEN BY THE DEPARTMENT FOR THE INSTALLATION AND  
20 MAINTENANCE OF OFFICIAL TRAFFIC--CONTROL DEVICES. [THE FACTORS  
21 SHALL INCLUDE, BUT NOT BE LIMITED TO, THE VOLUME OF TRAFFIC AND  
22 THE NUMBER OF ACCIDENTS THAT OCCURRED IN EACH OF THE THREE  
23 PRECEDING YEARS.]

24 (C) AGREEMENTS TO WAIVE DEPARTMENT APPROVAL.--THE DEPARTMENT  
25 MAY ENTER INTO AGREEMENTS WITH LOCAL AUTHORITIES TRANSFERRING TO  
26 THEM THE AUTHORITY TO INSTALL OFFICIAL TRAFFIC-CONTROL DEVICES  
27 WITHOUT SPECIFIC STATE APPROVAL PROVIDED THEY CONDUCT TRAFFIC  
28 AND ENGINEERING INVESTIGATIONS WHICH CONFORM WITH THE RULES AND  
29 REGULATIONS PROMULGATED BY THE DEPARTMENT.

30 (D) SIGNALS ON MUNICIPAL BOUNDARIES.--WHENEVER THE NEED

1 ARISES FOR THE INSTALLATION OF A TRAFFIC[-CONTROL] SIGNAL ON OR  
2 NEAR THE BOUNDARY OF TWO POLITICAL SUBDIVISIONS ADJOINING EACH  
3 OTHER SO AS TO BE BENEFICIAL TO BOTH, EITHER MAY PETITION THE  
4 DEPARTMENT FOR AUTHORITY TO INSTALL THE SIGNAL. IF THE POLITICAL  
5 SUBDIVISIONS CANNOT AMICABLY AGREE UPON AN ALLOCATION OF THE  
6 COSTS OF INSTALLATION AND MAINTENANCE OF THE SIGNAL, EITHER MAY  
7 PETITION THE COURT OF COMMON PLEAS OF THE COUNTY IN WHICH THE  
8 TRAFFIC[-CONTROL] SIGNAL IS TO BE INSTALLED WITHIN 90 DAYS AFTER  
9 RECEIVING THE APPROVAL OF THE DEPARTMENT AND THE COURT SHALL  
10 DETERMINE THE PROPER ALLOCATION OF THE EXPENSES TO BE INCURRED.  
11 THE POLITICAL SUBDIVISION THAT ORIGINATED THE REQUEST TO THE  
12 DEPARTMENT SHALL INSTALL THE TRAFFIC[-CONTROL] SIGNAL WITHIN 90  
13 DAYS OF THE DATE OF THE COURT ORDER OR OF AN AMICABLE AGREEMENT  
14 BETWEEN THE POLITICAL SUBDIVISIONS.

15 ~~(c) Costs. The cost of erection of traffic control signals~~ <—  
16 ~~located on State designated highways shall be borne by the~~  
17 ~~Commonwealth. At intersections of State designated highways and~~  
18 ~~local roads, such costs shall be borne by the Commonwealth and~~  
19 ~~the local authorities having jurisdiction over the local road,~~  
20 ~~each paying one half of such costs, but local authorities may,~~  
21 ~~at their option, pay more than their half of the costs in such~~  
22 ~~cases. All maintenance costs for said traffic control signals~~  
23 ~~shall be borne by the local authorities.~~

24 § 6301. PROSECUTIONS UNDER LOCAL ORDINANCES SUPERSEDED BY <—  
25 TITLE.

26 EXCEPT FOR PARKING VIOLATIONS, WHEN THE SAME CONDUCT IS  
27 PROSCRIBED UNDER THIS TITLE AND A LOCAL ORDINANCE, THE CHARGE  
28 SHALL BE BROUGHT UNDER THIS TITLE AND NOT UNDER THE LOCAL  
29 ORDINANCE. PROSECUTIONS BROUGHT UNDER ANY LOCAL ORDINANCE, RULE  
30 OR REGULATION, WHICH ARE BASED ON A VIOLATION FOR WHICH THERE IS

1 A SPECIFIC PENALTY PROVIDED IN THIS TITLE, EXCEPT FOR PARKING  
2 VIOLATIONS, SHALL BE DEEMED AS HAVING BEEN BROUGHT UNDER THIS  
3 TITLE AND THE ASSESSMENT AND DISPOSITION OF THE FINES AND  
4 FORFEITURES SHALL BE SO GOVERNED. LOCAL ORDINANCES RELATING TO  
5 PARKING SHALL PRESCRIBE FINES FOR VIOLATIONS AND MAY AUTHORIZE  
6 THE PAYMENT OF PENALTIES IN LIEU OF FINES AND COSTS UNDER  
7 PRESCRIBED CONDITIONS EXCEPT THAT THE FINE OR PENALTY SHALL NOT  
8 EXCEED \$15 FOR EACH VIOLATION.

9 § 6304. AUTHORITY TO ARREST WITHOUT WARRANT.

10 (A) PENNSYLVANIA STATE POLICE.--A MEMBER OF THE PENNSYLVANIA  
11 STATE POLICE WHO IS IN UNIFORM MAY ARREST WITHOUT A WARRANT ANY  
12 PERSON WHO VIOLATES ANY PROVISION OF THIS TITLE IN THE PRESENCE  
13 OF THE POLICE OFFICER MAKING THE ARREST.

14 (B) OTHER POLICE OFFICERS.--ANY POLICE OFFICER WHO IS IN  
15 UNIFORM MAY ARREST WITHOUT A WARRANT FOR A VIOLATION COMMITTED  
16 IN THE PRESENCE OF THE POLICE OFFICER ANY NONRESIDENT WHO  
17 VIOLATES ANY PROVISION OF THIS TITLE [IN THE PRESENCE OF THE <—  
18 POLICE OFFICER MAKING THE ARREST.] OR ANY OTHER PERSON WHO <—  
19 VIOLATES ANY OF THE FOLLOWING PROVISIONS OF THIS TITLE:

20 SECTION 1117 (RELATING TO VEHICLE DESTROYED OR SALVAGED)

21 SECTION 1371 (RELATING TO OPERATION FOLLOWING SUSPENSION  
22 OF REGISTRATION)

23 SECTION 1376 (RELATING TO SURRENDER OF REGISTRATION  
24 PLATES AND CARDS UPON SUSPENSION)

25 SECTION 1543 (RELATING TO DRIVING WHILE OPERATING  
26 PRIVILEGE IS SUSPENDED OR REVOKED)

27 SECTION 1571 (RELATING TO VIOLATIONS CONCERNING LICENSES)

28 SECTION 1573 (RELATING TO DRIVING UNDER FOREIGN LICENSE  
29 DURING SUSPENSION OR REVOCATION)

30 SECTION 1945 (RELATING TO BOOKS OF PERMITS)

1           SECTION 3345 (RELATING TO MEETING OR OVERTAKING SCHOOL  
2           BUS)

3           SUBCHAPTER B OF CHAPTER 37 (RELATING TO SERIOUS TRAFFIC  
4           OFFENSES)

5           SECTION 3743 (RELATING TO ACCIDENTS INVOLVING DAMAGE TO  
6           ATTENDED VEHICLE OR PROPERTY)

7           SECTION 4551 (RELATING TO SAFETY REGULATIONS)

8           SECTION 4730 (RELATING TO VIOLATIONS OF USE OF  
9           CERTIFICATE OF INSPECTION)

10          CHAPTER 49 (RELATING TO SIZE, WEIGHT AND LOAD)

11          SECTION 6503 (RELATING TO SUBSEQUENT CONVICTIONS OF  
12          CERTAIN OFFENSES)

13          SECTION 7124 (RELATING TO FRAUDULENT USE OR REMOVAL OF  
14          REGISTRATION PLATE)

15          (C) PROCEDURE FOR OVERWEIGHT VIOLATIONS.--AFTER AN ARREST  
16          UNDER SUBSECTION (A) OR (B) FOR A VIOLATION UNDER SUBCHAPTER C  
17          OF CHAPTER 49, THE PERSON ARRESTED SHALL BE TAKEN BEFORE AN  
18          ISSUING AUTHORITY AND BE GIVEN THE OPTION OF EITHER HAVING AN  
19          IMMEDIATE HEARING OR POSTING SECURITY IN THE AMOUNT OF THE FINE  
20          AND COSTS. IN THE EVENT SECURITY IS NOT POSTED WITHIN ONE HOUR,  
21          AN IMMEDIATE HEARING SHALL BE HELD. THE ISSUING AUTHORITY SHALL  
22          ACCEPT THE OVERWEIGHT VEHICLE AS SECURITY AND IN THAT EVENT THE  
23          VEHICLE SHALL BE RENDERED TEMPORARILY INOPERATIVE UNTIL ANOTHER  
24          FORM OF SECURITY IS POSTED OR UNTIL THE DATE OF HEARING,  
25          WHICHEVER IS SOONER.

26          [(C)] (D) OTHER POWERS PRESERVED.--THE POWERS OF ARREST  
27          CONFERRED BY THIS SECTION ARE IN ADDITION TO ANY OTHER POWERS OF  
28          ARREST CONFERRED BY LAW.

29          § 6305. Arrest of nonresident.

30          (a) General rule.--Upon arrest of a nonresident for any

1 violation of this title, a police officer shall escort the  
2 defendant to the appropriate issuing authority for a hearing,  
3 posting of bond or payment of the applicable fine and costs  
4 {unless the defendant chooses to place the amount of the <—  
5 applicable fine (or the maximum fine in the case of a variable  
6 fine) and costs in a stamped envelope addressed to the  
7 appropriate issuing authority and mails the envelope in the  
8 presence of the police officer} ~~unless the defendant is covered <—~~  
9 ~~by a reciprocity agreement between the Commonwealth and their~~  
10 ~~resident state as authorized in Subchapter C of Chapter 61~~  
11 ~~(relating to reciprocity).~~

12 (b) Procedure upon payment by mail.--If the defendant mails  
13 the amount of the fine prescribed in subsection (a), the  
14 defendant shall indicate on an accompanying form whether the  
15 payment constitutes a fine based on a plea of guilty or a bond  
16 for a hearing based on a plea of not guilty. If the plea is not  
17 guilty, the police officer shall notify the issuing authority by  
18 telephone and the issuing authority shall schedule a hearing for  
19 the following day (excluding Saturdays, Sundays and legal  
20 holidays), unless the defendant requests a continuance, in which  
21 case a hearing shall be scheduled to accommodate the defendant,  
22 the police officer and the issuing authority.

23 (c) Form of payment.--The amount of the fine and costs may  
24 be paid {in cash,} ~~by~~ personal or other check, credit card or <—  
25 guaranteed arrest bond, except that the Administrative Office of  
26 Pennsylvania Courts may enlarge or restrict the types of payment  
27 which may be made by mail.

28 (d) Receipt for payment.--Except as otherwise provided or  
29 prescribed by law, the police officer shall give the defendant a  
30 receipt for the payment, a copy of which shall be mailed with

1 the payment and a copy retained by the police officer.

2 (E) EXCEPTION.--THIS SECTION DOES NOT APPLY TO A NONRESIDENT <—  
3 WHO IS COVERED BY A RECIPROCITY AGREEMENT BETWEEN THE  
4 COMMONWEALTH AND THEIR RESIDENT STATE AS AUTHORIZED IN  
5 SUBCHAPTER C OF CHAPTER 61 (RELATING TO RECIPROCITY).

6 § 6306. Costs for summary offenses.

7 ~~(a) General rule. Except as provided in subsection (b), any~~ <—  
8 ~~person convicted of a summary offense under this title shall, in~~  
9 ~~addition to the fine imposed, be sentenced to pay \$10 as costs~~  
10 ~~of the issuing authority which costs shall include all charges~~  
11 ~~including, when called for, the costs of postage and registered~~  
12 ~~or certified mail and the costs of giving a transcript to the~~  
13 ~~prosecutor or defendant, or both, if requested.~~

14 ~~(b) Conviction after hearing. Where the person charged with~~  
15 ~~a summary offense under this title demands a hearing, the costs~~  
16 ~~of the issuing authority shall be \$15, which costs shall include~~  
17 ~~all charges including the charges specified in subsection (a).~~

18 ~~(c) Cost of removing vehicle. In addition to costs payable~~  
19 ~~under subsections (a) and (b), the defendant shall pay to the~~  
20 ~~issuing authority any costs incurred in removing a vehicle under~~  
21 ~~section 3352 (relating to removal of vehicle by or at direction~~  
22 ~~of police).~~

23 ~~(d) Disposition of costs. All costs collected for~~  
24 ~~convictions for summary offenses under this title shall be paid~~  
25 ~~monthly to the county in which the magisterial district is~~  
26 ~~located and shall be retained by the county for its use.~~

27 [(A) GENERAL RULE.--] COSTS FOR SUMMARY OFFENSES SHALL BE <—  
28 ESTABLISHED BY GENERAL RULE PURSUANT TO CHAPTER 17 OF TITLE 42  
29 (RELATING TO GOVERNANCE OF THE SYSTEM).

30 [(B) COSTS OF REMOVING VEHICLE.--(RESERVED).] <—

1 § 6308. Investigation by police [officers] AND DEPARTMENT  
2 EMPLOYEES.

<—

3 (a) Duty of operator or pedestrian.--The operator of any  
4 vehicle or any pedestrian [reasonably believed to have violated  
5 any provision of this title] shall stop upon request or signal  
6 of any uniformed police officer and shall[, upon request,]:

7 (1) exhibit a registration card, driver's license and  
8 proof of insurance, or other means of identification if a  
9 pedestrian or driver of a pedalcycle; and [shall write]

10 (2) write their name in the presence of the police  
11 officer if so required for the purpose of establishing  
12 identity.

13 (b) [Authority of police officer] EXAMINATION OF VEHICLES.-- <—  
14 Any uniformed police officer may stop a vehicle, upon request or  
15 signal, for the purpose of inspecting the vehicle as to its  
16 equipment and operation, or vehicle identification number or  
17 engine number, or to secure such other information as the  
18 officer may reasonably believe to be necessary to enforce the  
19 provisions of this title. A UNIFORMED POLICE OFFICER MAY EXAMINE <—  
20 A VEHICLE'S LOAD AND ANY RELATED DOCUMENTS IN ORDER TO DETERMINE  
21 WHETHER VIOLATIONS OF WEIGHT RESTRICTIONS HAVE OCCURRED.

22 (c) Inspection of garages and dealer premises.--Any police  
23 officer or authorized department employee may inspect any  
24 vehicle in any public garage or repair shop or on the premises  
25 of any dealer, TOWER, salvor, scrap metal processor, insurer, or <—  
26 other public place of business for the purpose of locating  
27 stolen vehicles or parts. The owner of the garage or repair shop  
28 or the dealer or other person shall permit any police officer or  
29 authorized department employee to make investigations under this  
30 subsection.



1        (D) INVESTIGATION AND AUDIT OF ISSUING AGENTS.--ANY POLICE <—  
2        OFFICER OR AUTHORIZED DEPARTMENT EMPLOYEE MAY AUDIT AND  
3        INVESTIGATE ANY DEALER, MANUFACTURER OR OTHER ISSUING AGENT OF  
4        TEMPORARY REGISTRATION CARDS OR PLATES TO DETERMINE WHETHER ANY  
5        SUCH PERSON HAS VIOLATED ANY PROVISION OF THIS TITLE OR ANY  
6        REGULATION PROMULGATED BY THE DEPARTMENT.

7        ~~(d)~~ (E) Production to avoid prosecution.--No person shall be <—  
8        charged with failure to exhibit proof of insurance as required  
9        by subsection (a)(1) SHALL BE CONVICTED if the person does not <—  
10       ~~have proof of insurance in their possession and produces proof~~  
11       ~~of insurance valid on the date of the request at the office of~~  
12       ~~the investigating officer~~ ISSUING AUTHORITY within five days of <—  
13       the violation.

14       § 6309. ~~Cost of~~ COSTS FOR warrants executed by Pennsylvania <—  
15       State Police.

16       Whenever a member of the Pennsylvania State Police executes a  
17       warrant in connection with an alleged violation of this title,  
18       additional costs shall be assessed in an amount equal to the  
19       amount a constable would have received had he executed the  
20       warrant. Such additional costs collected for the execution of  
21       warrants by members of the Pennsylvania State Police shall be  
22       transmitted to the State Treasury and shall be credited to the  
23       Motor License Fund.

24       § 6322. Reports by issuing authorities.

25       (a) General rule.--SUBJECT TO ANY INCONSISTENT PROCEDURES <—  
26       AND STANDARDS RELATING TO REPORTS AND TRANSMISSION OF FUNDS  
27       PRESCRIBED PURSUANT TO TITLE 42 (RELATING TO JUDICIARY AND  
28       JUDICIAL PROCEDURE):

29                (1) Following the [fifteenth and last days] last day of  
30        each month, every issuing authority shall prepare a

statement, upon forms prescribed and furnished by the  
[department] Commonwealth, of all fines collected, bail  
forfeited[, ] and sentence imposed [and final disposition] for  
all [cases on] violations of any provisions of this title  
decided by the issuing authority in the [semimonthly] monthly  
reporting period just concluded:

~~(1)~~ (I) Cases which have been appealed shall not be  
included in the report.

~~(2)~~ (II) Cases which are appealable shall not be  
included in the report until the appeal period expires.

~~(3)~~ (III) The statement shall be certified by the  
issuing authority to be true and correct and shall be  
forwarded IN SUCH NUMBER OF COPIES AS THE COMMONWEALTH  
DETERMINES to the [department] DEPARTMENT OF REVENUE  
within [the following week] ~~seven~~ 15 days, with a copy  
sent to the police department which filed the charge.

~~(4)~~ (IV) ~~{The ANY fines and bail forfeited} A copy~~  
~~of the citation or summons~~ PAYABLE TO THE COMMONWEALTH  
UNDER SUBCHAPTER E OF CHAPTER 35 OF TITLE 42 (RELATING TO  
FINES, ETC.) AND COPIES OF THE CITATIONS OR SUMMONSES  
shall accompany the report to the [department.]  
DEPARTMENT OF REVENUE WHICH SHALL TRANSMIT THE COPIES OF  
THE CITATIONS OR SUMMONSES AND A COPY OF THE REPORT TO  
THE DEPARTMENT.

\* \* \*

§ 6323. Reports by courts ~~of record~~.

SUBJECT TO ANY INCONSISTENT PROCEDURES AND STANDARDS RELATING  
TO REPORTS AND TRANSMISSION OF FUNDS PRESCRIBED PURSUANT TO  
TITLE 42 (RELATING TO JUDICIARY AND JUDICIAL PROCEDURE):

(1) [The] WITHIN TEN DAYS FOLLOWING THE LAST DAY OF EACH

1 MONTH, EVERY clerk of [any] A court ~~of record~~ of this <—  
2 Commonwealth[, within ten days after] SHALL SEND TO THE <—  
3 DEPARTMENT OF REVENUE A RECORD OF ALL final [judgment] <—  
4 JUDGMENTS of conviction or acquittal or other disposition of <—  
5 charges under any of the provisions of this title[, shall <—  
6 send to the department a record of the judgment of  
7 conviction, acquittal or other disposition] FOR THE MONTHLY <—  
8 REPORTING PERIOD JUST CONCLUDED. on a form prescribed by the <—  
9 department. THE FORM AND NUMBER OF COPIES OF THE RECORD SHALL <—  
10 BE PRESCRIBED BY THE COMMONWEALTH.

11 (2) A record of the judgment shall also be forwarded to  
12 the [department] DEPARTMENT OF REVENUE upon conviction [or <—  
13 acquittal] of a person of a misdemeanor or felony in the  
14 commission of which the judge determines that a motor vehicle  
15 was essentially involved.

16 (3) The fines and bail forfeited UNDER ANY OF THE <—  
17 PROVISIONS OF THIS TITLE PAYABLE TO THE COMMONWEALTH UNDER  
18 SUBCHAPTER E OF CHAPTER 35 OF TITLE 42 (RELATING TO FINES,  
19 ETC.) shall accompany the record sent to the [department] <—  
20 DEPARTMENT OF REVENUE WHICH SHALL TRANSMIT A COPY OF THE <—  
21 RECORD TO THE DEPARTMENT.

22 § ~~6327~~ ~~6326~~. Inspection of records. <—

23 The records of the issuing authority, department and each  
24 police department required under this subchapter shall be open  
25 for inspection by any police officer or authorized employee of  
26 the department, the Department of Justice, the Department of  
27 Revenue, the Auditor General and the [Court Administrator of <—  
28 {the Supreme Court} Pennsylvania ADMINISTRATIVE OFFICE OF <—  
29 PENNSYLVANIA COURTS.

30 § ~~6342~~. ~~Registration number as prima facie evidence of~~ <—

1           ~~—operation.~~

2           ~~(a) General rule.—In any proceeding for a violation of the~~  
3 ~~provisions of this title or any local ordinance[, rule or~~  
4 ~~regulation,] regulating parking, the registration plate~~  
5 ~~displayed on a vehicle shall be prima facie evidence that the~~  
6 ~~[owner] of the vehicle was then operating the vehicle.~~

7           ~~[(b) Burden shifted by testimony of owner.—If at any~~  
8 ~~hearing or proceeding the owner testifies under oath or~~  
9 ~~affirmation that the owner was not operating the vehicle at the~~  
10 ~~time of the alleged violation and submits to an examination as~~  
11 ~~to who at the time was operating the vehicle and reveals the~~  
12 ~~name of the person, if known, then the prima facie evidence~~  
13 ~~arising from the registration plate shall be overcome and~~  
14 ~~removed and the burden of proof shifted.]~~

15           ~~[(c)] (b) Burden shifted by affidavit of owner.—If the~~  
16 ~~information is made in a county other than that of the owner's~~  
17 ~~own residence and an affidavit setting forth these facts is~~  
18 ~~forwarded to the issuing authority, the prima facie evidence~~  
19 ~~arising from the registration plate shall be overcome and the~~  
20 ~~burden of proof shifted.~~

21   § 6343. WEIGHT RECORDS AS PRIMA FACIE EVIDENCE OF VIOLATION.           <—

22           IN ANY PROCEEDING FOR A VIOLATION OF THE PROVISIONS OF THIS  
23 TITLE RELATING TO MAXIMUM WEIGHTS OF VEHICLES, RECORDS, PAPERS,  
24 BOOKS AND DOCUMENTS, INCLUDING SHIPPING RECEIPTS OR BILLS OF  
25 LADING WHICH SHOWS WEIGHT SHALL BE PRIMA FACIE EVIDENCE IN  
26 ESTABLISHING A VIOLATION.

27   § 6501. DEFINITION OF VIOLATION AND CONVICTION.           <—

28           (A) GENERAL RULE.--FOR THE PURPOSES OF THIS TITLE [A]:

29           (1) A VIOLATION OF A PROVISION OF THIS TITLE INCLUDES A  
30 VIOLATION OF A RULE OR REGULATION ADOPTED BY THE DEPARTMENT

1 TO IMPLEMENT THAT PARTICULAR PROVISION OF THIS TITLE.

2 (2) A CONVICTION INCLUDES A PLEA OF GUILTY, A PLEA OF  
3 NOLO CONTENDERE, A FINDING OF GUILTY BY A COURT OR AN  
4 UNVACATED FORFEITURE OF BAIL OR COLLATERAL DEPOSITED TO  
5 SECURE A DEFENDANT'S APPEARANCE IN COURT.

6 (B) PAYMENT OF FINE AS GUILTY PLEA.--A PAYMENT BY ANY PERSON  
7 CHARGED WITH A VIOLATION OF THIS TITLE OF THE FINE PRESCRIBED  
8 FOR THE VIOLATION IS A PLEA OF GUILTY.

9 § 6503. Subsequent convictions of certain offenses.

10 [Every person convicted of a] A second or subsequent <—  
11 violation of any of the following provisions shall [be sentenced <—  
12 to pay] CONSTITUTE A MISDEMEANOR OF THE THIRD DEGREE PUNISHABLE <—  
13 BY a fine of not less than [\$200] \$500 nor more than \$1,000 or <—  
14 [to] imprisonment for not more than one year, or both] \$500 nor <—  
15 more than \$1,000:

16 Section 1501(a) (relating to drivers required to be  
17 licensed).

18 Section 1543 (relating to driving while operating  
19 privilege is suspended or revoked).

20 SECTION 1573 (RELATING TO DRIVING UNDER FOREIGN LICENSE <—  
21 DURING SUSPENSION OR REVOCATION).

22 Section 3367 (relating to racing on highways).

23 Section 3733 (relating to fleeing or attempting to elude  
24 police officer).

25 Section 3734 (relating to driving without lights to avoid  
26 identification or arrest).

27 Section 3748 (relating to false reports).

28 § 6504. [Inability to pay] PAYMENT OF fine and costs. <—

29 †(a) Order for installment payments.--†Upon plea and proof <—  
30 that a person is unable to pay any fine and costs imposed under

1 this title, a court may, in accordance with the Pennsylvania <—  
2 Rules of Criminal Procedure 18 PA.C.S. § 1358 (RELATING TO <—  
3 FINE), order payment of the fine and costs in installments and  
4 shall fix the amounts, times and manner of payment.

5 ~~§ 6505. Imprisonment for nonpayment of fine and costs.~~ <—  
6     †(b) Imprisonment for nonpayment.--†Any person who does not <—  
7 pay any fine or costs assessed for a summary conviction under  
8 this title which has not been appealed or who does not comply  
9 with an order entered under [this section] ~~section 6504~~ <—  
10 ~~(relating to inability to pay fine and costs)~~ SUBSECTION (A) may <—  
11 be imprisoned for a number of days equal to one day for each \$10  
12 of the unpaid balance of the fine and costs.

13 ~~[§ 6505] § 6506. Disposition of fines and forfeitures.~~ <—  
14     (a) ~~State Police enforcement. When prosecution under the~~  
15 ~~provisions of this title is the result of State Police action,~~  
16 ~~all fines and penalties and all bail forfeited shall be paid to~~  
17 ~~the Department of Revenue, transmitted to the State Treasury and~~  
18 ~~credited to the Motor License Fund. One half of the revenue~~  
19 ~~shall be paid to municipalities in the same ratio provided in~~  
20 ~~section 4 of the act of June 1, 1956 (P.L.1944, No.655),~~  
21 ~~relating to partial allocation of liquid fuels and fuel use tax~~  
22 ~~proceeds.~~

23     (b) ~~Local police enforcement in general. When prosecution~~  
24 ~~under the provisions of this title, except for parking, is the~~  
25 ~~result of local police action, one half of all fines and~~  
26 ~~penalties and all bail forfeited shall be paid to the political~~  
27 ~~subdivision under which the local police are organized and one~~  
28 ~~half to the Department of Revenue, transmitted to the State~~  
29 ~~Treasury and credited to the Motor License Fund.~~

30     (c) ~~Local police enforcement of parking. When prosecution~~

1 ~~under the provisions of this title for parking is the result of~~  
2 ~~local police action, all fines and penalties and all bail~~  
3 ~~forfeited shall be paid to the political subdivision under which~~  
4 ~~the local police are organized.~~

5 § 7102. Removal or falsification of identification number.

6 (a) Offense defined.--A person who willfully removes or  
7 falsifies an identification number of a vehicle, engine,  
8 differential or transmission is guilty of a misdemeanor of the  
9 [third] second degree.

10 (b) Fraudulent intent.--A person who willfully and with  
11 intent to conceal or misrepresent the identity of a vehicle,  
12 engine, differential or transmission, removes or falsifies an  
13 identification number thereof, is guilty of a misdemeanor of the  
14 first degree.

15 [(c) Exception.--This section does not apply to the removal <—  
16 of ~~an~~ a vehicle identification number plate from a vehicle <—  
17 ~~{for which a certificate of junk has been obtained}~~ in <—  
18 accordance with the requirements of section 1117~~(a)~~ (relating to <—  
19 vehicle destroyed or junked).] <—

20 § 7103. Dealing in vehicles with removed or falsified  
21 numbers.

22 (a) Offense defined.--A person who buys, receives,  
23 possesses, sells or disposes of a vehicle, engine, differential  
24 or transmission, knowing that an identification number has been  
25 removed or falsified, is guilty of a misdemeanor of the third  
26 degree.

27 (b) Knowledge of fraudulent intent.--A person who buys,  
28 receives, possesses, sells or disposes of a vehicle, engine,  
29 differential or transmission with knowledge that an  
30 identification number has been removed or falsified with intent

1 to conceal or misrepresent the identity thereof, is guilty of a  
2 [felony of the third degree] misdemeanor of the first degree.

3 (c) Exception.--This section does not apply to the removal  
4 of [an] a vehicle identification number plate from a vehicle  
5 [for which a certificate of junk has been obtained] in  
6 accordance with the requirements of section 1117(a) (relating to  
7 vehicle destroyed or [junked] SALVAGED). <—

8 § 7105. Seizure of vehicles with removed or falsified  
9 numbers.

10 (a) Duty of police.--Every police officer having knowledge  
11 of a vehicle on which the [vehicle] identification number of the  
12 vehicle, engine, differential or transmission has been removed  
13 or falsified shall immediately seize and take possession of the  
14 vehicle, engine, differential or transmission and arrest or file  
15 a complaint for the arrest of the suspected owner or custodian.  
16 In all actions involving seizure or possession of such vehicles,  
17 [vehicle] engines, differentials or transmissions identification  
18 information shall be transmitted to the Federal or other  
19 agencies involved in recovery of stolen vehicles, engines,  
20 differential or transmissions.

21 [(b) Proceedings if owner known.--The court, upon petition  
22 of the owner or of the person entitled to possession of a seized  
23 vehicle may relinquish custody of the vehicle to the person  
24 legally entitled to the vehicle upon presentation of proof that  
25 a State replacement vehicle identification number plate has been  
26 issued by the department under section 7104 (relating to State  
27 replacement vehicle identification number plate). Except as  
28 otherwise provided in this section, the court shall retain in  
29 custody the seized vehicle pending prosecution of the person  
30 arrested. In case the person is found guilty, the vehicle shall



1 remain in the custody of the court until the fine and costs of  
2 prosecution are paid, except that if 90 days have elapsed after  
3 the verdict has been rendered and the fine and costs have not  
4 been paid, the court shall proceed to advertise and sell the  
5 vehicle in the manner provided by law for the sale of personal  
6 property under execution. The proceeds from the sale shall be  
7 used to pay the fine and costs of prosecution and the balance,  
8 if any, shall be forwarded to the department to be transmitted  
9 to the State Treasurer for deposit in the Motor License Fund.]

10 (b) Proceedings if owner known.--

11 (1) Except as provided in paragraph (2), the court shall  
12 retain in custody the seized vehicle, engine, differential or  
13 transmission pending prosecution of the person arrested. If  
14 the person is found guilty, the vehicle shall remain in the  
15 custody of the court until the fine and costs of prosecution  
16 are paid, except that if 90 days have elapsed after the  
17 verdict has been rendered and the fine and costs have not  
18 been paid, the court shall advertise and sell the vehicle,  
19 engine, differential or transmission in the manner provided  
20 by law for the sale of personal property under execution. The  
21 proceeds from the sale shall be used to pay the fine and  
22 costs of prosecution and the balance, if any, shall be  
23 forwarded to the department to be transmitted to the State  
24 Treasurer for deposit in the Motor License Fund.

25 (2) The court may relinquish custody of such:

26 (i) a vehicle to a person to whom a State  
27 replacement vehicle identification number plate has been  
28 issued in accordance with section 7104 (relating to State  
29 replacement vehicle identification number plate); or

30 (ii) an engine, differential or transmission to the

1           owner or person entitled thereto.

2           (c) Proceedings if owner unknown.--If ownership of the  
3 vehicle, engine, differential or transmission is not established  
4 to the satisfaction of the court, the vehicle, engine,  
5 differential or transmission shall be confiscated by the court  
6 and sold immediately, and the proceeds shall be used to pay the  
7 costs of proceedings and the balance, if any, shall be forwarded  
8 to the department to be transmitted to the State Treasurer for  
9 deposit in the Motor License Fund.

10 § 7113. Reporting stolen and recovered vehicles.

11           (a) Stolen vehicle.--Every police department or police  
12 [office] officer, having knowledge of a stolen vehicle, shall  
13 immediately furnish the State Police with full information about  
14 the stolen vehicle. The State Police shall forward the stolen  
15 vehicle information to the department.

16           \* \* \*

17 [§ 7116. Fraudulent removal of vehicle from garage.

18           No person shall remove or cause to be removed, by any false  
19 pretension or with intent to defraud, any vehicle that has been  
20 placed in a garage or automobile shop for storage, repair or  
21 garage service.]

22 § 7121. False application for certificate of title or  
23 registration.

24           A person is guilty of a misdemeanor of the [first] second  
25 degree if the person uses a false or fictitious name or address  
26 or makes a material false statement, or fails to disclose a  
27 security interest, or conceals any other material fact in an  
28 application for a certificate of title or for registration.

29 § 7122. Altered, forged or counterfeit documents and plates.

30           A person is guilty of a misdemeanor of the [first] second

1 degree if the person, with fraudulent intent:

2 (1) alters, forges or counterfeits a certificate of  
3 title, registration card or plate[, inspection certificate]  
4 or proof of insurance;

5 (2) alters or forges an assignment of a certificate of  
6 title, or an assignment or release of a security interest on  
7 a certificate of title or any other document issued or  
8 prepared for issue by the department; or

9 (3) has possession of, sells or attempts to sell, uses  
10 or displays a certificate of title, registration card or  
11 plate, [driver's license, inspection certificate] proof of  
12 insurance or any other document issued by the department,  
13 knowing it to have been altered, forged or counterfeited.

14 § 7123. Sale or purchase of certificate or other document.

15 [It is unlawful to purchase or sell] A person is guilty of a  
16 misdemeanor of the second degree if such person purchases or  
17 sells, EXCEPT AS AUTHORIZED IN THIS TITLE, a certificate or any <—  
18 other document issued by the department. Police officers or  
19 department representatives may confiscate the documents when  
20 unlawfully possessed or used.

21 § 7301. Authorization of salvors.

22 \* \* \*

23 (A) GENERAL RULE.--THE DEPARTMENT SHALL AUTHORIZE AND SHALL <—  
24 ISSUE A CERTIFICATE OF AUTHORIZATION TO EVERY SALVOR THAT  
25 COMPLIES WITH THE REQUIREMENTS OF THIS CHAPTER AND REGULATIONS  
26 ADOPTED BY THE DEPARTMENT [AND IS A VEHICLE SALVAGE DEALER AS  
27 DEFINED IN SECTION 1337(C)(2) (RELATING TO USE OF "MISCELLANEOUS  
28 MOTOR VEHICLE BUSINESS" REGISTRATION PLATES)].

29 (B) UNAUTHORIZED OPERATION PROHIBITED.--NO PERSON SHALL  
30 OPERATE AS A SALVOR UNLESS AUTHORIZED.

1 (C) DUTY OF SALVOR.--UPON WRITTEN REQUEST OF A POLICE  
2 DEPARTMENT, A SALVOR SHALL TAKE POSSESSION OF AND REMOVE TO THE  
3 STORAGE FACILITY OF THE SALVOR ANY ABANDONED VEHICLE LOCATED  
4 WITHIN 30 MILES OF THE PLACE OF BUSINESS OF THE SALVOR:

5 (1) ON PRIVATE PROPERTY IF THE VEHICLE HAS VALUE OTHER  
6 THAN FOR SALVAGE; OR

7 (2) ON PUBLIC PROPERTY.

8 (d) Storage facility.--A salvor may rent or own a storage  
9 facility, which shall comply with the act of [December 15, 1971  
10 (P.L.596, No.160), known as the "Outdoor Advertising Control Act  
11 of 1971," where applicable, and with regulations promulgated by  
12 the department.] July 28, 1966 (3rd Sp.Sess., P.L.91, No.4),  
13 referred to as the Junkyard and Automotive Recycler Screening  
14 Law.

15 § 7302. CERTIFICATE OF AUTHORIZATION. <—

16 (A) APPLICATION AND ISSUANCE.--APPLICATION FOR A CERTIFICATE  
17 OF AUTHORIZATION SHALL BE MADE ON A FORM PRESCRIBED BY THE  
18 DEPARTMENT. THE DEPARTMENT SHALL INVESTIGATE THE QUALIFICATIONS  
19 AND FITNESS OF THE APPLICANT AND SHALL ISSUE A CERTIFICATE OF  
20 AUTHORIZATION IF IT DETERMINES THAT THE APPLICANT IS CAPABLE OF  
21 PERFORMING THE DUTIES OF A SALVOR IN A MANNER CONSISTENT WITH  
22 THE PUBLIC INTEREST.

23 (B) PLACE OF BUSINESS.--EVERY APPLICANT SHALL HAVE AND  
24 MAINTAIN AN ESTABLISHED PLACE OF BUSINESS. IF THE APPLICANT HAS  
25 OR INTENDS TO HAVE ONE OR MORE PLACES OF BUSINESS OR BRANCH  
26 OFFICES, THE APPLICATION SHALL CONTAIN COMPLETE INFORMATION FOR  
27 EACH LOCATION.

28 (C) BONDING REQUIRED.--

29 (1) BEFORE ISSUING A CERTIFICATE OF AUTHORIZATION, THE  
30 DEPARTMENT SHALL REQUIRE THE APPLICANT TO FURNISH AND

1 MAINTAIN A BOND INDEMNIFYING THE PUBLIC AND THE DEPARTMENT IN  
2 THE AMOUNT OF \$10,000.

3 (2) AN INDIVIDUAL BOND FOR EACH PLACE OF BUSINESS IS NOT  
4 REQUIRED, BUT ALL PLACES OF BUSINESS SHALL BE COVERED BY THE  
5 BOND.

6 (D) DURATION AND RENEWAL.--CERTIFICATES OF AUTHORIZATION  
7 SHALL BE ISSUED FOR A PERIOD OF ONE YEAR AND SHALL BE SUBJECT TO  
8 ANNUAL RENEWAL.

9 § 7304. REPORTS TO DEPARTMENT OF POSSESSION OF ABANDONED  
10 VEHICLES.

11 [ANY] UNLESS THE OWNER OR REGISTRANT HAS REVEALED THEIR  
12 IDENTITY TO THE SALVOR OR TOWER, ANY SALVOR [TAKING] OR TOWER IN  
13 POSSESSION OF AN ABANDONED VEHICLE [PURSUANT TO SECTION 7301(C)  
14 (RELATING TO AUTHORIZATION OF SALVORS)] SHALL WITHIN 48 HOURS  
15 [AFTER TAKING POSSESSION] REPORT TO THE DEPARTMENT THE MAKE,  
16 MODEL, VEHICLE IDENTIFICATION NUMBER AND REGISTRATION PLATE  
17 NUMBER OF THE ABANDONED VEHICLE, AND THE NAME AND ADDRESS OF THE  
18 OWNER OR PERSON WHO ABANDONED THE VEHICLE, IF KNOWN, TOGETHER  
19 WITH ANY OTHER INFORMATION OR DOCUMENTS WHICH THE DEPARTMENT MAY  
20 BY REGULATION REQUIRE. THE REPORT SHALL INCLUDE A STATEMENT  
21 WHETHER THE VEHICLE IS VALUELESS EXCEPT FOR [JUNK] SALVAGE.  
22 WHERE THE REPORT INDICATES THE VEHICLE IS VALUELESS EXCEPT FOR  
23 [JUNK] SALVAGE, THE SALVOR SHALL INCLUDE A PHOTOGRAPH OF THE  
24 VEHICLE TO BE PREPARED IN A MANNER PRESCRIBED BY THE DEPARTMENT.  
25 A REPORT BY A SALVOR THAT A VEHICLE IS VALUELESS EXCEPT FOR  
26 [JUNK] SALVAGE SHALL BE VERIFIED BY THE POLICE DEPARTMENT WHICH  
27 AUTHORIZED TRANSFER OF THE VEHICLE TO THE SALVOR.

28 § 7305. NOTICE TO OWNER AND LIENHOLDERS OF ABANDONED VEHICLES.

29 (A) GENERAL RULE.--EXCEPT AS PROVIDED IN SECTION 7309  
30 (RELATING TO JUNKING OF VEHICLES VALUELESS EXCEPT FOR [JUNK]

1 SALVAGE), THE DEPARTMENT, UPON RECEIPT OF NOTICE THAT AN  
2 ABANDONED VEHICLE HAS BEEN TAKEN INTO POSSESSION PURSUANT TO  
3 THIS CHAPTER, SHALL NOTIFY BY CERTIFIED MAIL, RETURN RECEIPT  
4 REQUESTED, THE LAST KNOWN REGISTERED OWNER OF THE VEHICLE AND  
5 ALL LIENHOLDERS OF RECORD THAT THE VEHICLE IS ABANDONED.

6 (B) CONTENTS OF NOTICE.--THE NOTICE SHALL:

7 (1) DESCRIBE THE MAKE, MODEL, TITLE NUMBER, VEHICLE  
8 IDENTIFICATION NUMBER AND REGISTRATION PLATE NUMBER OF THE  
9 ABANDONED VEHICLE, IF KNOWN.

10 (2) STATE THE LOCATION WHERE THE VEHICLE IS BEING HELD.

11 (3) INFORM THE OWNER AND ANY LIENHOLDERS OF THEIR RIGHT  
12 TO RECLAIM THE VEHICLE WITHIN 30 DAYS AFTER THE DATE OF THE  
13 NOTICE AT THE PLACE WHERE THE VEHICLE IS BEING HELD BY THE  
14 SALVOR OR TOWER, UPON PAYMENT OF ALL TOWING AND STORAGE  
15 CHARGES AND THE FEE AUTHORIZED IN SECTION 7306 (RELATING TO  
16 PAYMENT OF COSTS UPON RECLAIMING VEHICLE).

17 (4) STATE THAT THE FAILURE OF THE OWNER OR LIENHOLDER TO  
18 RECLAIM THE VEHICLE IS DEEMED CONSENT BY THE OWNER TO THE  
19 DESTRUCTION, SALE OR OTHER DISPOSITION OF THE ABANDONED  
20 VEHICLE AND OF ALL LIENHOLDERS TO DISSOLUTION OF THEIR LIENS.

21 (C) NOTICE BY PUBLICATION.--IF THE IDENTITY OF THE LAST  
22 REGISTERED OWNER AND OF ALL LIENHOLDERS CANNOT BE DETERMINED  
23 WITH REASONABLE CERTAINTY, THE CONTENTS OF THE NOTICE SET FORTH  
24 IN SUBSECTION (B) SHALL BE PUBLISHED ONE TIME IN ONE NEWSPAPER  
25 OF GENERAL CIRCULATION IN THE AREA WHERE THE VEHICLE WAS  
26 ABANDONED. THE NOTICE MAY CONTAIN MULTIPLE LISTINGS OF ABANDONED  
27 VEHICLES. NOTICE BY PUBLICATION LOCALLY SHALL BE THE  
28 RESPONSIBILITY OF THE SALVOR. THE NOTICE SHALL HAVE THE SAME  
29 EFFECT AS NOTICE SENT BY CERTIFIED MAIL.

30 § 7306. Payment of costs upon reclaiming vehicle.

1 In the event the owner or lienholder of an abandoned vehicle  
2 reclaims the vehicle, the reclaiming party shall pay the costs  
3 for towing and storage, plus a fee of [\$25 of which \$10] \$15  
4 which shall be transmitted to the department by the salvor OR <—  
5 TOWER.

6 § 7308. PUBLIC SALE OF UNCLAIMED VEHICLES WITH VALUE. <—

7 (A) GENERAL RULE.--IF AN ABANDONED VEHICLE HAVING VALUE HAS  
8 NOT BEEN RECLAIMED AS PROVIDED IN THIS CHAPTER, THE VEHICLE  
9 SHALL BE SOLD AT A PUBLIC AUCTION.

10 (B) TITLE OF PURCHASER.--THE SALVOR OR TOWER SHALL GIVE THE  
11 PURCHASER A SALES RECEIPT AND THE PURCHASER SHALL APPLY TO THE  
12 DEPARTMENT FOR A TITLE WHICH SHALL BE FREE AND CLEAR OF ALL  
13 PREVIOUS LIENS AND CLAIMS OF OWNERSHIP.

14 (C) DISPOSITION OF PROCEEDS.--FROM THE PROCEEDS OF THE SALE  
15 OF THE ABANDONED VEHICLE, THE SALVOR OR TOWER SHALL BE  
16 REIMBURSED FOR THE COSTS OF TOWING, STORAGE, NOTICE AND  
17 PUBLICATION COSTS AND EXPENSES OF AUCTION. THE REMAINDER OF THE  
18 PROCEEDS OF A SALE SHALL BE HELD FOR THE OWNER OF THE VEHICLE OR  
19 RECORD LIENHOLDER FOR 60 DAYS FROM THE DATE OF SALE AND IF NOT  
20 PROPERLY CLAIMED SHALL THEN BE PAID TO THE DEPARTMENT AND  
21 TRANSMITTED TO THE STATE TREASURER FOR DEPOSIT IN THE MOTOR  
22 LICENSE FUND.

23 § 7309. Junking of vehicles valueless except for [junk] <—

24 SALVAGE. <—

25 \* \* \* <—

26 (A) APPLICATION FOR [CERTIFICATE OF JUNK] VEHICLE SALVAGE <—  
27 AUTHORIZATION.--IF AN ABANDONED VEHICLE IS VALUELESS EXCEPT FOR  
28 [JUNK] SALVAGE, THE SALVOR SHALL NOTE THAT FACT IN THE REPORT TO  
29 THE DEPARTMENT REQUIRED IN SECTION 7304 (RELATING TO REPORTS TO  
30 DEPARTMENT OF POSSESSION OF ABANDONED VEHICLES) AND SHALL APPLY

1 FOR ISSUANCE OF A [CERTIFICATE OF JUNK] VEHICLE SALVAGE  
2 AUTHORIZATION AS PROVIDED FOR IN SECTION 1117 (RELATING TO  
3 VEHICLE DESTROYED OR [JUNKED] SALVAGED).

4 (B) NOTICE AND ISSUANCE OF CERTIFICATE.--IF THE IDENTITY OF  
5 THE LAST REGISTERED OWNER CANNOT BE DETERMINED WITH REASONABLE  
6 CERTAINTY AND IT IS IMPOSSIBLE TO DETERMINE WITH REASONABLE  
7 CERTAINTY THE IDENTITY AND ADDRESSES OF ANY LIENHOLDER, NO  
8 NOTICE SHALL BE REQUIRED. UNDER SUCH CIRCUMSTANCES, THE  
9 DEPARTMENT SHALL UPON RECEIPT OF THE REPORT BY THE SALVOR  
10 PURSUANT TO SECTION 7304 ISSUE A [CERTIFICATE OF JUNK] VEHICLE  
11 SALVAGE AUTHORIZATION AS PROVIDED IN SECTION 1117.

12 (c) Reimbursement of expenses of salvor OR TOWER.--Upon <—  
13 receipt within six months of evidence that a salvor OR TOWER has <—  
14 removed an abandoned vehicle WHICH IS VALUELESS EXCEPT FOR <—  
15 SALVAGE upon the request of a police department and applied for  
16 a certificate of junk for such AUTHORIZATION TO SALVAGE THE <—  
17 vehicle, the department shall pay to the salvor OR TOWER from <—  
18 the Motor License Fund the sum of \$15 for the expenses incurred  
19 in the removal and towing of the abandoned vehicle. No portion  
20 of the \$15 payment or any separate consideration shall be  
21 reimbursed or paid to any government agency or municipalities by  
22 the salvor OR TOWER. <—

23 \* \* \* <—

24 (D) RIGHTS OF OWNERS AND LIENHOLDERS.--ISSUANCE BY THE <—  
25 DEPARTMENT OF A [CERTIFICATE OF JUNK] VEHICLE SALVAGE  
26 AUTHORIZATION FOR A VEHICLE [JUNKED] SALVAGED UNDER THIS SECTION  
27 SHALL OPERATE AS A DIVESTITURE OF ALL RIGHT, TITLE AND INTEREST  
28 IN THE VEHICLE OF THE OWNER AND ALL LIENHOLDERS.

29 § 7312. PENALTY FOR VIOLATION OF CHAPTER.

30 (A) FINES AND IMPRISONMENT.--ANY PERSON VIOLATING ANY OF THE



1 PROVISIONS OF THIS CHAPTER IS GUILTY OF A SUMMARY OFFENSE,  
2 PUNISHABLE:

3 (1) FOR A FIRST OFFENSE, BY A FINE OF \$100.

4 (2) FOR A SUBSEQUENT OFFENSE, BY A FINE OF NOT LESS THAN  
5 \$200 NOR MORE THAN \$500 OR IMPRISONMENT FOR NOT MORE THAN 90  
6 DAYS, OR BOTH.

7 (B) SUSPENSION.--FOR VIOLATION OF ANY OF THE PROVISIONS OF  
8 THIS CHAPTER, THE SALVOR OR TOWER SHALL BE SUBJECT TO SUSPENSION  
9 OF THE PRIVILEGE TO RECEIVE ABANDONED VEHICLES UNDER THIS  
10 CHAPTER.

11 § 7502. Certificate of authorization.

12 (A) APPLICATION AND ISSUANCE.--APPLICATION FOR A CERTIFICATE <—  
13 OF AUTHORIZATION SHALL BE MADE ON A FORM PRESCRIBED BY THE  
14 DEPARTMENT, ACCOMPANIED BY THE APPLICABLE FEE. THE DEPARTMENT  
15 SHALL INVESTIGATE THE QUALIFICATIONS AND FITNESS OF THE  
16 APPLICANT AND SHALL ISSUE A CERTIFICATE OF AUTHORIZATION IF IT  
17 DETERMINES THAT THE APPLICANT IS CAPABLE OF PERFORMING THE  
18 DUTIES OF A MESSENGER SERVICE IN A MANNER CONSISTENT WITH THE  
19 PUBLIC INTEREST AND THE APPLICABLE FEES ARE PAID. ANY PERSON WHO  
20 FOR A FEE PREPARES OR ASSISTS IN THE PREPARATION OF ANY FORMS,  
21 APPLICATIONS OR DOCUMENTS RELATING TO REGISTRATION AND LICENSING  
22 UNDER THIS TITLE, OR WHO CAUSES SUCH FORMS, APPLICATIONS OR  
23 DOCUMENTS TO BE FORWARDED TO THE DEPARTMENT, SHALL BE REQUIRED  
24 TO BE LICENSED AS A MESSENGER SERVICE PURSUANT TO THIS CHAPTER.

25 \* \* \*

26 (c) Bond required.--[Before issuing a certificate of <—  
27 authorization, the department shall require the applicant to  
28 furnish] EVERY MESSENGER SERVICE SHALL PROVIDE and maintain a <—  
29 bond indemnifying the public and the department in the amount of  
30 ~~+\$50,000~~ 25,000. An individual bond for each place of business <—

1 is not required, but all places of business shall be covered by  
2 the bond.

3 \* \* \*

4 (E) DURATION AND RENEWAL.--CERTIFICATES OF AUTHORIZATION <—  
5 SHALL BE [GIVEN] ISSUED FOR A PERIOD OF ONE YEAR AND MAY BE  
6 RENEWED ANNUALLY.

7 § 7505. TRANSACTION OF BUSINESS WITH DEPARTMENT.

8 THE DEPARTMENT [MAY] SHALL DESIGNATE THOSE LOCATIONS IN  
9 HARRISBURG, PITTSBURGH AND PHILADELPHIA AND THOSE FACILITIES AND  
10 HOURS OF OPERATION AT WHICH MESSENGER SERVICES [MAY] SHALL BE  
11 AUTHORIZED TO TRANSACT BUSINESS WITH THE DEPARTMENT. EVERY  
12 MESSENGER SERVICE TO WHOM A CERTIFICATE OF AUTHORIZATION HAS  
13 BEEN ISSUED PURSUANT TO THIS CHAPTER SHALL BE PERMITTED TO  
14 TRANSACT BUSINESS WITH THE DEPARTMENT AT THE LOCATIONS AND  
15 FACILITIES AND DURING THE HOURS OF OPERATION DESIGNATED BY THE  
16 DEPARTMENT. THE DEPARTMENT MAY PRESCRIBE SUCH REGULATIONS AS MAY  
17 BE NECESSARY FOR THE ADMINISTRATION OF THIS CHAPTER.

18 CHAPTER 77

19 SNOWMOBILES AND OFF-ROAD VEHICLES

20 \* \* \*

21 § 7701. SHORT TITLE OF CHAPTER.

22 THIS CHAPTER SHALL BE KNOWN AND MAY BE CITED AS THE  
23 "SNOWMOBILE AND OFF-ROAD VEHICLE LAW."

24 § 7702. DEFINITIONS.

25 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER  
26 SHALL HAVE, UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE, THE  
27 MEANINGS GIVEN TO THEM IN THIS SECTION:

28 \* \* \*

29 "OFF-ROAD VEHICLE."

30 (1) A MOTOR VEHICLE DESIGNED FOR OR CAPABLE OF CROSS-

COUNTRY TRAVEL ON OR IMMEDIATELY OVER LAND, WATER, SAND,  
SNOW, ICE, MARSH, SWAMPLAND OR OTHER NATURAL TERRAIN,  
INCLUDING, BUT NOT LIMITED TO, MULTIWHEEL DRIVE VEHICLES, LOW  
PRESSURE TIRED VEHICLES; VEHICLES USING AN ENDLESS BELT TREAD  
OR TREADS, VEHICLES USING A COMBINATION OF TREAD AND LOW  
PRESSURE TIRES, AMPHIBIOUS VEHICLES AND GROUND EFFECT OR AIR  
CUSHION VEHICLES.

(2) THE TERM DOES NOT INCLUDE:

(I) A SNOWMOBILE.

(II) A MILITARY, FIRE, EMERGENCY OR LAW ENFORCEMENT  
VEHICLE WHEN USED FOR EMERGENCY PURPOSES.

(III) A VEHICLE OWNED AND OPERATED BY THE  
DEPARTMENT.

(IV) A MOTORCYCLE, A MOTOR-DRIVEN CYCLE OR A  
MOTORIZED PEDALCYCLE.

\* \* \*

§ 7703. Applicability of chapter.

(a) Vehicle regulation generally.--Unless the context  
clearly indicates otherwise, the other provisions of this title  
do not apply to this chapter.

(b) Law enforcement officers.--This chapter does not apply  
to law enforcement officers while engaged in the performance of  
their official duties.

§ 7706. RESTRICTED RECEIPTS FUND.

<—

(A) DEPOSIT AND USE OF MONEYS.--THE DEPARTMENT SHALL DEPOSIT  
ALL MONEYS RECEIVED FROM THE REGISTRATION OF SNOWMOBILES OR OFF-  
ROAD VEHICLES, THE SALE OF SNOWMOBILE OR OFF-ROAD VEHICLE  
REGISTRATION INFORMATION, SNOWMOBILE OR OFF-ROAD VEHICLE  
PUBLICATIONS AND OTHER SERVICES PROVIDED BY THE DEPARTMENT, ALL  
FINES AND PENALTIES RESULTING FROM VIOLATIONS OF THIS CHAPTER,

1 AND ALL FEES COLLECTED UNDER THIS CHAPTER IN A RESTRICTED  
2 RECEIPTS FUND, FROM WHICH THE DEPARTMENT SHALL DRAW MONEYS FOR  
3 USE IN CARRYING OUT THE REGISTRATION, SAFETY EDUCATION AND  
4 ENFORCEMENT REQUIREMENTS OF THIS CHAPTER AS WELL AS THE  
5 ESTABLISHMENT, CONSTRUCTION AND MAINTENANCE OF TRAILS AND ANY  
6 EQUIPMENT AND SUPPLIES NECESSARY TO CARRY OUT THE PURPOSES OF  
7 THIS CHAPTER.

8 (B) AUDIT AND LAPSE OF MONEYS.--THE RESTRICTED RECEIPTS FUND  
9 SHALL BE AUDITED EVERY TWO YEARS WITH ANY RESIDUE APPEARING IN  
10 THE FUND AT THE END OF EACH AUDITING PERIOD TO BE DEPOSITED IN  
11 THE GENERAL FUND.

12 § 7711. REGISTRATION OF DEALERS.

13 ANY PERSON WHO IS IN THE BUSINESS OF SELLING SNOWMOBILES OR  
14 OFF-ROAD VEHICLES SHALL REGISTER AS A DEALER. THE DEPARTMENT,  
15 UPON RECEIPT OF APPLICATION AND THE REQUIRED FEE, SHALL ASSIGN A  
16 DISTINGUISHING DEALER REGISTRATION NUMBER TO THE REGISTRANT AND  
17 ISSUE APPROPRIATE REGISTRATION CERTIFICATE TO HIM. DEALER  
18 REGISTRATIONS ARE NOT TRANSFERABLE.

19 § 7712. REGISTRATION OF SNOWMOBILES OR OFF-ROAD VEHICLES.

20 (A) GENERAL RULE.--UPON APPLICATION THEREFOR UPON A FORM  
21 PRESCRIBED AND FURNISHED BY THE DEPARTMENT WHICH SHALL CONTAIN A  
22 FULL DESCRIPTION OF THE SNOWMOBILE OR THE OFF-ROAD VEHICLE, THE  
23 ACTUAL AND BONA FIDE NAME AND ADDRESS OF THE OWNER, PROOF OF  
24 OWNERSHIP AND ANY OTHER INFORMATION THE DEPARTMENT MAY  
25 REASONABLY REQUIRE, AND WHICH SHALL BE ACCOMPANIED BY THE  
26 REQUIRED FEE, THE DEPARTMENT SHALL ISSUE A CERTIFICATE OF  
27 REGISTRATION OF A SNOWMOBILE OR AN OFF-ROAD VEHICLE AND A DECAL  
28 SHOWING THE EXPIRATION DATE TO THE OWNER.

29 (B) TEMPORARY REGISTRATION.--TEMPORARY REGISTRATION FOR A  
30 PERIOD NOT TO EXCEED 45 DAYS MAY BE ISSUED BY A REGISTERED

1 DEALER PURSUANT TO RULES AND REGULATIONS PROMULGATED BY THE  
2 DEPARTMENT.

3 (C) FEES.--FEES FOR REGISTRATION OF SNOWMOBILES OR OFF-ROAD  
4 VEHICLES TO BE COLLECTED BY THE DEPARTMENT UNDER THIS CHAPTER  
5 ARE AS FOLLOWS:

6 (1) EACH INDIVIDUAL RESIDENT REGISTRATION FOR TWO YEARS,  
7 \$10.

8 (2) EACH INDIVIDUAL NONRESIDENT REGISTRATION FOR TWO  
9 YEARS, \$10.

10 (3) EACH DEALER REGISTRATION FOR ONE YEAR, \$25.

11 (4) REPLACEMENT OF A LOST, MUTILATED OR DESTROYED  
12 CERTIFICATE OR DECAL, \$1.

13 (D) EXEMPTIONS FROM FEES.--NO FEE IS REQUIRED FOR THE  
14 REGISTRATION OF SNOWMOBILES OR OFF-ROAD VEHICLES OWNED BY:

15 (1) THE COMMONWEALTH.

16 (2) POLITICAL SUBDIVISIONS.

17 (3) VOLUNTEER ORGANIZATIONS AND USED EXCLUSIVELY FOR  
18 EMERGENCY PURPOSES.

19 § 7713. CERTIFICATES OF REGISTRATION AND DECALS.

20 (A) GENERAL RULE.--EXCEPT AS OTHERWISE PROVIDED IN THIS  
21 CHAPTER, IT IS UNLAWFUL TO OPERATE A SNOWMOBILE OR AN OFF-ROAD  
22 VEHICLE UNLESS A CERTIFICATE OF REGISTRATION HAS BEEN ISSUED  
23 THEREFOR AND UNLESS THERE IS DISPLAYED THEREON THE PERMANENT OR  
24 TEMPORARY REGISTRATION NUMBER AND A VALID DECAL.

25 (B) REGISTRATION NUMBER REQUIREMENTS.--NUMBERS CORRESPONDING  
26 TO THE PERMANENT REGISTRATION NUMBER OF THE SNOWMOBILE OR THE  
27 OFF-ROAD VEHICLE, SHOWN ON THE CERTIFICATE OF REGISTRATION,  
28 SHALL BE OBTAINED BY THE APPLICANT AND AFFIXED TO THE SNOWMOBILE  
29 OR THE OFF-ROAD VEHICLE. THE PERMANENT REGISTRATION NUMBER  
30 DISPLAYED ON THE SNOWMOBILE OR THE OFF-ROAD VEHICLE SHALL BE OF

1 A COLOR WHICH WILL CONTRAST WITH THE SURFACE TO WHICH APPLIED,  
2 SHALL BE REFLECTIVE AND SHALL BE AT LEAST THREE INCHES HIGH.

3 (C) DISPLAY OF NUMBER AND DECAL.--THE DECAL AND THE  
4 PERMANENT REGISTRATION NUMBER SHALL BE DISPLAYED ON BOTH SIDES  
5 OF THE COWLING OF THE SNOWMOBILE FOR WHICH ISSUED. NO NUMBER  
6 OTHER THAN THE NUMBER ASSIGNED TO A SNOWMOBILE BY THE DEPARTMENT  
7 OR THE IDENTIFICATION NUMBER OF THE REGISTRATION IN ANOTHER  
8 STATE SHALL BE ATTACHED TO OR DISPLAYED ON THE COWLING. THE  
9 LOCATION OF THE DECAL AND THE DISPLAY OF THE PERMANENT  
10 REGISTRATION NUMBER FOR ANY OFF-ROAD VEHICLE SHALL BE DETERMINED  
11 BY REGULATION OF THE DEPARTMENT.

12 (D) EXPIRATION ON TRANSFER.--THE CERTIFICATE OF REGISTRATION  
13 ISSUED FOR A SNOWMOBILE OR AN OFF-ROAD VEHICLE SHALL EXPIRE AND  
14 THE DECAL SHALL BECOME INVALID WHEN TITLE TO THE SNOWMOBILE OR  
15 AN OFF-ROAD VEHICLE IS TRANSFERRED.

16 (E) SUSPENSION OR REVOCATION.--THE DEPARTMENT MAY SUSPEND OR  
17 REVOKE THE CERTIFICATION OF REGISTRATION FOR A SNOWMOBILE OR AN  
18 OFF-ROAD VEHICLE UPON CONVICTION OF THE OWNER OF ANY OFFENSE  
19 UNDER THIS CHAPTER.

20 § 7714. EXEMPTIONS FROM REGISTRATION.

21 NO CERTIFICATE OF REGISTRATION OR DECAL SHALL BE REQUIRED FOR  
22 A SNOWMOBILE OR AN OFF-ROAD VEHICLE:

23 (1) OWNED AND USED BY THE UNITED STATES OR ANOTHER  
24 STATE, OR A POLITICAL SUBDIVISION THEREOF, BUT SUCH  
25 SNOWMOBILE SHALL DISPLAY THE NAME OF THE OWNER ON THE COWLING  
26 THEREOF OR ON A HIGHLY VISIBLE PART OF THE OFF-ROAD VEHICLE.

27 (2) COVERED BY A VALID REGISTRATION OR LICENSE OF  
28 ANOTHER STATE, PROVINCE OR COUNTRY.

29 (3) OWNED AND OPERATED ON LANDS OWNED BY THE OWNER OR  
30 OPERATOR OF THE SNOWMOBILE OR OFF-ROAD VEHICLE OR ON LANDS TO

1 WHICH HE HAS A CONTRACTUAL RIGHT OTHER THAN AS A MEMBER OF A  
2 CLUB OR ASSOCIATION, PROVIDED THE SNOWMOBILE OR OFF-ROAD  
3 VEHICLE IS NOT OPERATED ELSEWHERE WITHIN THIS COMMONWEALTH.

4 § 7715. RECIPROCITY.

5 THE PROVISIONS OF THIS CHAPTER RELATING TO CERTIFICATES OF  
6 REGISTRATION AND DECALS SHALL NOT APPLY TO NONRESIDENT OWNERS  
7 WHO HAVE COMPLIED WITH THE REGISTRATION AND LICENSING LAWS OF  
8 THE STATE, PROVINCE, DISTRICT OR COUNTRY OF RESIDENCE, PROVIDED  
9 THAT THE SNOWMOBILE OR OFF-ROAD VEHICLE IS APPROPRIATELY  
10 IDENTIFIED IN ACCORDANCE WITH THE LAWS OF THE STATE OF  
11 RESIDENCE.

12 § 7716. CENTRAL REGISTRATION FILE.

13 THE DEPARTMENT SHALL MAINTAIN A CENTRAL FILE OF THE  
14 CERTIFICATE OF REGISTRATION NUMBER, NAME AND ADDRESS OF THE  
15 OWNER OF EACH SNOWMOBILE OR OFF-ROAD VEHICLE FOR WHICH A  
16 CERTIFICATE OF REGISTRATION IS ISSUED AND SUCH INFORMATION SHALL  
17 BE MADE AVAILABLE TO ALL ENFORCEMENT AGENCIES.

18 § 7721. OPERATION ON STREETS AND HIGHWAYS.

19 (A) GENERAL RULE.--EXCEPT AS OTHERWISE PROVIDED IN THIS  
20 CHAPTER, IT IS UNLAWFUL TO OPERATE A SNOWMOBILE OR AN OFF-ROAD  
21 VEHICLE ON ANY STREET OR HIGHWAY WHICH IS NOT DESIGNATED AND  
22 POSTED AS A SNOWMOBILE OR AN OFF-ROAD VEHICLE ROAD BY THE  
23 GOVERNMENTAL AGENCY HAVING JURISDICTION.

24 (B) EMERGENCY AND BRIDGE CROSSINGS.--A SNOWMOBILE OR AN OFF-  
25 ROAD VEHICLE MAY BE OPERATED ON HIGHWAYS AND STREETS:

26 (1) DURING PERIODS OF EMERGENCY WHEN SO DECLARED BY A  
27 POLICY AGENCY HAVING JURISDICTION.

28 (2) WHEN NECESSARY TO CROSS A BRIDGE OR CULVERT.

29 (C) CROSSING STREET OR HIGHWAY.--A SNOWMOBILE OR AN OFF-ROAD  
30 VEHICLE MAY MAKE A DIRECT CROSSING OF A STREET OR TWO-LANE

HIGHWAY UPON COMPLIANCE WITH THE FOLLOWING REQUIREMENTS:

(1) THE CROSSING IS MADE AT AN ANGLE OF APPROXIMATELY 90 DEGREES TO THE DIRECTION OF THE HIGHWAY AND AT A PLACE WHERE NO OBSTRUCTION PREVENTS A QUICK AND SAFE CROSSING.

(2) THE SNOWMOBILE OR OFF-ROAD VEHICLE IS BROUGHT TO A COMPLETE STOP BEFORE CROSSING THE SHOULDER OR MAIN-TRAVELED WAY OF THE HIGHWAY.

(3) THE DRIVER YIELDS THE RIGHT-OF-WAY TO ALL ONCOMING TRAFFIC WHICH CONSTITUTES AN IMMEDIATE HAZARD.

(4) IN CROSSING A DIVIDED HIGHWAY, THE CROSSING IS MADE ONLY AT AN INTERSECTION OF SUCH HIGHWAY WITH ANOTHER PUBLIC STREET OR HIGHWAY.

§ 7722. DESIGNATION OF SNOWMOBILE OR OFF-ROAD VEHICLE ROADS.

(A) GENERAL RULE.--THE DEPARTMENT OF TRANSPORTATION ON STATE-DESIGNATED HIGHWAYS AND LOCAL AUTHORITIES ON ANY HIGHWAY, ROAD OR STREET WITHIN ITS JURISDICTION MAY DESIGNATE ANY HIGHWAY, ROAD OR STREET WITHIN ITS JURISDICTION AS A SNOWMOBILE OR AN OFF-ROAD VEHICLE ROAD AND MAY, IN ITS DISCRETION, DETERMINE WHETHER SUCH ROAD SHALL BE CLOSED TO VEHICULAR TRAFFIC OR WHETHER SNOWMOBILES OR OFF-ROAD VEHICLES MAY SHARE THIS DESIGNATED ROAD WITH VEHICULAR TRAFFIC.

(B) POSTING NOTICES.--ADEQUATE NOTICES OF SUCH DESIGNATION AND DETERMINATION SHALL BE SUFFICIENTLY AND PROMINENTLY DISPLAYED.

§ 7723. SPECIAL SNOWMOBILE OR OFF-ROAD VEHICLE EVENTS.

(A) GENERAL RULE.--SNOWMOBILES OR OFF-ROAD VEHICLES MAY BE OPERATED ON HIGHWAYS AND STREETS FOR SPECIAL SNOWMOBILE OR OFF-ROAD VEHICLE EVENTS OF LIMITED DURATION WHICH ARE CONDUCTED ACCORDING TO A PREARRANGED SCHEDULE UNDER PERMIT FROM THE GOVERNMENTAL AGENCY HAVING JURISDICTION.



1 (B) AUTHORITY OF LOCAL AUTHORITIES.--A LOCAL AUTHORITY MAY  
2 BLOCK OFF HIGHWAYS AND STREETS WITHIN ITS JURISDICTION FOR THE  
3 PURPOSE OF ALLOWING SNOWMOBILE OR OFF-ROAD VEHICLE RACES,  
4 RALLIES OR DERBIES. NO STATE TRUNK HIGHWAY OR CONNECTING STREET,  
5 OR PART THEREOF, SHALL BE BLOCKED OFF BY ANY LOCAL AUTHORITY FOR  
6 ANY SNOWMOBILE OR OFF-ROAD VEHICLE RACE, RALLY OR DERBY.

7 (C) NOTIFICATION AND DUTY OF POLICE.--A LOCAL AUTHORITY  
8 SHALL NOTIFY THE LOCAL POLICE DEPARTMENT AND THE COUNTY  
9 SHERIFF'S OFFICE AT LEAST ONE WEEK IN ADVANCE OF THE TIME AND  
10 PLACE OF ANY SNOWMOBILE OR OFF-ROAD VEHICLE RACE, RALLY OR DERBY  
11 WHICH MAY RESULT IN ANY HIGHWAY OR STREET, OR PART THEREOF,  
12 BEING BLOCKED OFF. UPON SUCH NOTICE, THE LOCAL POLICE DEPARTMENT  
13 SHALL TAKE SUCH MEASURES AS IT DEEMS APPROPRIATE TO PROTECT  
14 PERSONS AND PROPERTY AND TO REGULATE TRAFFIC IN THE DESIGNATED  
15 AREA AND ITS VICINITY ON THE DAY OF SUCH RACE, RALLY OR DERBY.

16 (D) LIABILITY OF LOCAL AUTHORITIES.--A LOCAL AUTHORITY SHALL  
17 NOT BE RESPONSIBLE FOR ANY INJURY SUFFERED BY ANYONE IN  
18 CONNECTION WITH, OR ARISING OUT OF, ANY SNOWMOBILE OR OFF-ROAD  
19 VEHICLE RACE, RALLY OR DERBY UNLESS THE INJURY IS CAUSED BY THE  
20 NEGLIGENCE OF THE LOCAL AUTHORITY.

21 § 7724. OPERATION ON PRIVATE OR STATE PROPERTY.

22 (A) PRIVATE PROPERTY.--NO PERSON SHALL OPERATE A SNOWMOBILE  
23 OR AN OFF-ROAD VEHICLE ON PRIVATE PROPERTY WITHOUT THE CONSENT  
24 OF THE OWNER OF OR LESSOR THEREOF. ANY PERSON OPERATING A  
25 SNOWMOBILE OR AN OFF-ROAD VEHICLE UPON LANDS OF ANOTHER SHALL  
26 STOP AND IDENTIFY HIMSELF UPON THE REQUEST OF THE LANDOWNER OR  
27 HIS DULY AUTHORIZED REPRESENTATIVES AND, IF REQUESTED TO DO SO  
28 BY THE LANDOWNER, SHALL PROMPTLY REMOVE THE SNOWMOBILE OR THE  
29 OFF-ROAD VEHICLE FROM THE PREMISES.

30 (B) STATE PROPERTY.--NO PERSON SHALL OPERATE A SNOWMOBILE OR

1 AN OFF-ROAD VEHICLE ON STATE-OWNED PROPERTY EXCEPT ON CLEARLY  
2 MARKED AND PREVIOUSLY DESIGNATED SNOWMOBILE OR OFF-ROAD VEHICLE  
3 ROUTES. THE DEPARTMENT MAY DESIGNATE ANY ROAD WITHIN A STATE  
4 PARK OR STATE FOREST OVER WHICH THE DEPARTMENT HAS JURISDICTION  
5 AS A SNOWMOBILE OR OFF-ROAD VEHICLE ROAD AND MAY, IN ITS  
6 DISCRETION, DETERMINE WHETHER THE ROAD SHALL BE CLOSED TO  
7 VEHICULAR TRAFFIC OR WHETHER SNOWMOBILES OR OFF-ROAD VEHICLES  
8 MAY SHARE THE DESIGNATED ROAD WITH VEHICULAR TRAFFIC. ADEQUATE  
9 NOTICES OF SUCH DESIGNATION AND DETERMINATION SHALL BE  
10 SUFFICIENTLY AND PROMINENTLY DISPLAYED.

11 § 7725. OPERATION BY PERSONS UNDER AGE SIXTEEN.

12 (A) SNOWMOBILE OR OFF-ROAD VEHICLE SAFETY CERTIFICATION.--  
13 EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, NO PERSON TEN  
14 YEARS OF AGE AND OVER WHO HAS NOT REACHED 16 YEARS OF AGE SHALL  
15 OPERATE A SNOWMOBILE OR AN OFF-ROAD VEHICLE IN THIS  
16 COMMONWEALTH, EXCEPT UPON LANDS OF HIS PARENT OR GUARDIAN,  
17 UNLESS AND UNTIL HE HAS RECEIVED SAFETY TRAINING AS PRESCRIBED  
18 BY THE DEPARTMENT AND HAS RECEIVED THE APPROPRIATE SNOWMOBILE OR  
19 OFF-ROAD VEHICLE SAFETY CERTIFICATE ISSUED BY THE DEPARTMENT.  
20 THE DEPARTMENT MAY AUTHORIZE SANCTIONED SNOWMOBILE OR OFF-ROAD  
21 VEHICLE CLUBS TO ACT AS AGENTS IN CONDUCTING CLASSES AND  
22 EXAMINATIONS AND ISSUING SNOWMOBILE OR OFF-ROAD VEHICLE SAFETY  
23 CERTIFICATES IN THE NAME OF THE DEPARTMENT.

24 (B) FAILURE TO EXHIBIT CERTIFICATE.--THE FAILURE OF AN  
25 OPERATOR TO EXHIBIT A SNOWMOBILE OR OFF-ROAD VEHICLE SAFETY  
26 CERTIFICATE UPON DEMAND TO ANY POLICE OFFICER HAVING AUTHORITY  
27 TO ENFORCE THE PROVISIONS OF THIS CHAPTER SHALL BE PRESUMPTIVE  
28 EVIDENCE THAT SUCH PERSON IS NOT THE HOLDER OF SUCH CERTIFICATE.

29 (C) PERMITTING UNAUTHORIZED OPERATION.--NO OWNER OF A  
30 SNOWMOBILE OR OFF-ROAD VEHICLE SHALL AUTHORIZE OR PERMIT THE

1 OPERATION THEREOF WITHIN THIS COMMONWEALTH BY ANY PERSON UNDER  
2 THE AGE OF 16 YEARS UNLESS THE OPERATOR IS THE HOLDER OF A VALID  
3 SNOWMOBILE OR OFF-ROAD VEHICLE SAFETY CERTIFICATE OR EXCEPT AS  
4 AUTHORIZED BY SUBSECTION (A).

5 (D) LIMITATIONS ON OPERATION.--NO PERSON:

6 (1) UNDER THE AGE OF 16 YEARS SHALL DRIVE A SNOWMOBILE  
7 OR OFF-ROAD VEHICLE ACROSS ANY HIGHWAY OR CONNECTING STREET  
8 THERETO.

9 (2) UNDER THE AGE OF TEN YEARS SHALL OPERATE A  
10 SNOWMOBILE OR AN OFF-ROAD VEHICLE WITHOUT THE KNOWLEDGE AND  
11 EXPRESS CONSENT OF THE LANDOWNER UNLESS HE IS ACCOMPANIED BY  
12 A PERSON OVER 18 YEARS OF AGE OR A PERSON OVER 14 YEARS OF  
13 AGE WHO HOLDS A SNOWMOBILE OR AN OFF-ROAD VEHICLE SAFETY  
14 CERTIFICATE.

15 § 7726. OPERATION IN SAFE MANNER.

16 (A) GENERAL RULE.--NO PERSON SHALL OPERATE A SNOWMOBILE OR  
17 AN OFF-ROAD VEHICLE IN ANY OF THE FOLLOWING WAYS:

18 (1) AT A RATE OF SPEED THAT IS UNREASONABLE OR IMPROPER  
19 UNDER EXISTING CONDITIONS.

20 (2) IN ANY CARELESS WAY SO AS TO ENDANGER THE PERSON OR  
21 PROPERTY OF ANOTHER.

22 (3) WHILE UNDER THE INFLUENCE OF ALCOHOL OR ANY  
23 CONTROLLED SUBSTANCE.

24 (B) PERMITTING UNSAFE OPERATION.--NO OWNER OR OTHER PERSON  
25 HAVING CHARGE OR CONTROL OF A SNOWMOBILE OR AN OFF-ROAD VEHICLE  
26 SHALL KNOWINGLY AUTHORIZE OR PERMIT THE OPERATION OF THE  
27 SNOWMOBILE OR THE OFF-ROAD VEHICLE BY ANY PERSON WHO IS  
28 INCAPABLE TO DO SO BY REASON OF AGE, PHYSICAL OR MENTAL  
29 DISABILITY, OR WHO IS UNDER THE INFLUENCE OF ALCOHOL OR ANY  
30 CONTROLLED SUBSTANCE.

1 § 7727. ADDITIONAL LIMITATIONS ON OPERATION.

2 EXCEPT AS OTHERWISE PERMITTED UNDER THE ACT OF JUNE 3, 1937  
3 (P.L.1225, NO.316), KNOWN AS "THE GAME LAW," NO PERSON SHALL:

4 (1) OPERATE OR RIDE IN ANY SNOWMOBILE OR ANY OFF-ROAD  
5 VEHICLE WITH ANY BOW AND ARROWS OR WITH ANY FIREARM IN HIS  
6 POSSESSION UNLESS IT IS UNLOADED.

7 (2) DRIVE OR PURSUE ANY WILDLIFE WITH A SNOWMOBILE OR AN  
8 OFF-ROAD VEHICLE.

9 § 7728. ACCIDENTS AND ACCIDENT REPORTS.

10 (A) DUTY TO STOP AND PROVIDE INFORMATION.--WHENEVER ANY  
11 SNOWMOBILE OR ANY OFF-ROAD VEHICLE IS INVOLVED IN AN ACCIDENT  
12 RESULTING IN LOSS OF LIFE, PERSONAL INJURY OR DAMAGE TO PROPERTY  
13 AND THE OPERATOR THEREOF HAS KNOWLEDGE OF SUCH ACCIDENT, HE  
14 SHALL STOP AND GIVE HIS NAME AND ADDRESS, THE NAME AND ADDRESS  
15 OF THE OWNER THEREOF AND THE REGISTRATION NUMBER OF THE  
16 SNOWMOBILE OR THE OFF-ROAD VEHICLE TO THE INJURED PERSON OR THE  
17 PERSON SUSTAINING THE DAMAGE OR TO A POLICE OFFICER. IN CASE NO  
18 POLICE OFFICER NOR THE PERSON SUSTAINING THE DAMAGE IS PRESENT  
19 AT THE PLACE WHERE THE DAMAGE OCCURRED, THEN THE OPERATOR SHALL  
20 IMMEDIATELY REPORT, AS SOON AS HE IS PHYSICALLY ABLE, THE  
21 ACCIDENT TO THE NEAREST LAW ENFORCEMENT AGENCY.

22 (B) REPORT OF ACCIDENT TO DEPARTMENT.--THE OPERATOR OF ANY  
23 SNOWMOBILE OR ANY OFF-ROAD VEHICLE INVOLVED IN ANY ACCIDENT  
24 RESULTING IN INJURIES TO OR DEATH OF ANY PERSON OR RESULTING IN  
25 PROPERTY DAMAGE TO THE ESTIMATED AMOUNT OF \$100 OR MORE SHALL,  
26 WITHIN SEVEN DAYS AFTER SUCH ACCIDENT, REPORT THE MATTER IN  
27 WRITING TO THE DEPARTMENT. IF THE OPERATOR IS PHYSICALLY  
28 INCAPABLE OF MAKING THE REPORT AND THERE IS ANOTHER PARTICIPANT  
29 IN THE ACCIDENT NOT SO INCAPACITATED, THE PARTICIPANT SHALL MAKE  
30 THE REPORT WITHIN THE PRESCRIBED PERIOD OF TIME AFTER THE

1 ACCIDENT. IN THE EVENT THAT THERE IS NO OTHER PARTICIPANT AND  
2 THE OPERATOR IS OTHER THAN THE OWNER, THEN THE OWNER SHALL  
3 WITHIN THE PRESCRIBED PERIOD OF TIME, AFTER LEARNING OF THE  
4 FACTS OF SUCH ACCIDENT, REPORT THE MATTER TO THE DEPARTMENT,  
5 TOGETHER WITH SUCH INFORMATION AS MAY HAVE COME TO HIS KNOWLEDGE  
6 RELATING TO SUCH ACCIDENT. EVERY OPERATOR OR OWNER OF A  
7 SNOWMOBILE OR AN OFF-ROAD VEHICLE IN AN ACCIDENT, OR SURVIVING  
8 PARTICIPANT OF ANY SUCH ACCIDENT, SHALL MAKE SUCH OTHER AND  
9 ADDITIONAL REPORTS AS THE DEPARTMENT SHALL REQUIRE.

10 (C) REPORT BY LAW ENFORCEMENT OFFICER.--A LAW ENFORCEMENT  
11 OFFICER WHO INVESTIGATES OR RECEIVES INFORMATION OF AN ACCIDENT  
12 INVOLVING A SNOWMOBILE OR AN OFF-ROAD VEHICLE SHALL MAKE A  
13 WRITTEN REPORT OF THE INVESTIGATION OR INFORMATION RECEIVED, AND  
14 SUCH ADDITIONAL FACTS RELATING TO THE ACCIDENT AS MAY COME TO  
15 HIS KNOWLEDGE, AND MAIL THE SAME WITHIN 48 HOURS TO THE  
16 DEPARTMENT AND KEEP A RECORD THEREOF IN HIS OFFICE.

17 (D) EXCEPTION.--THIS SECTION DOES NOT APPLY WHEN PROPERTY  
18 DAMAGE IS SUSTAINED IN SANCTIONED SNOWMOBILE OR OFF-ROAD VEHICLE  
19 RACES, DERBIES AND RALLIES.

20 § 7729. LIABILITY OF OWNER FOR NEGLIGENCE.

21 (A) GENERAL RULE.--NEGLIGENCE IN THE USE OR OPERATION OF A  
22 SNOWMOBILE OR AN OFF-ROAD VEHICLE IS ATTRIBUTABLE TO THE OWNER.  
23 EVERY OWNER OF A SNOWMOBILE OR AN OFF-ROAD VEHICLE USED OR  
24 OPERATED IN THIS COMMONWEALTH SHALL BE LIABLE AND RESPONSIBLE  
25 FOR DEATH OR INJURY TO PERSON OR DAMAGE TO PROPERTY RESULTING  
26 FROM NEGLIGENCE IN THE USE OR OPERATION OF SUCH SNOWMOBILE OR  
27 OFF-ROAD VEHICLE BY ANY PERSON USING OR OPERATING THE SNOWMOBILE  
28 OR THE OFF-ROAD VEHICLE WITH THE PERMISSION, EXPRESS OR IMPLIED,  
29 OF SUCH OWNER.

30 (B) EXCEPTION.--THE NEGLIGENCE OF THE OPERATOR SHALL NOT BE

1 ATTRIBUTED TO THE OWNER AS TO ANY CLAIM OR CAUSE OF ACTION  
2 ACCRUING TO THE OPERATOR OR HIS LEGAL REPRESENTATIVE FOR SUCH  
3 INJURIES OR DEATH.

4 § 7741. HEAD LAMPS AND TAIL LAMPS.

5 (A) TIME OF OPERATION.--EVERY SNOWMOBILE OR OFF-ROAD VEHICLE  
6 OPERATED DURING HOURS OF DARKNESS SHALL DISPLAY A LIGHTED HEAD  
7 LAMP AND TAIL LAMP. THE LIGHTS SHALL BE IN OPERATION DURING THE  
8 PERIOD OF FROM ONE-HALF HOUR AFTER SUNSET TO ONE-HALF HOUR  
9 BEFORE SUNRISE AND AT ANY TIME WHEN, DUE TO INSUFFICIENT LIGHT  
10 OR UNFAVORABLE ATMOSPHERIC CONDITIONS CAUSED BY FOG OR  
11 OTHERWISE, OTHER PERSONS, VEHICLES AND OTHER OBJECTS ARE NOT  
12 CLEARLY DISCERNIBLE FOR A DISTANCE OF 500 FEET AHEAD.

13 (B) HEAD LAMP REQUIREMENTS.--THE HEAD LAMP SHALL DISPLAY  
14 WHITE LIGHT OF SUFFICIENT ILLUMINATING POWER TO REVEAL ANY  
15 PERSON, VEHICLE OR SUBSTANTIAL OBJECT AT A DISTANCE OF 100 FEET  
16 AHEAD.

17 (1) IF THE SNOWMOBILE OR THE OFF-ROAD VEHICLE IS  
18 EQUIPPED WITH A MULTIPLE BEAM HEAD LAMP, THE UPPER BEAM SHALL  
19 MEET THE MINIMUM REQUIREMENTS SET FORTH IN THIS SECTION AND  
20 THE LOWERMOST BEAM SHALL BE SO AIMED AND OF SUFFICIENT  
21 INTENSITY TO REVEAL PERSONS AND VEHICLES AT A DISTANCE OF AT  
22 LEAST 50 FEET AHEAD.

23 (2) IF THE SNOWMOBILE OR THE OFF-ROAD VEHICLE IS  
24 EQUIPPED WITH A SINGLE BEAM HEAD LAMP, THE LAMP SHALL BE SO  
25 AIMED THAT WHEN THE VEHICLE IS LOADED NONE OF THE HIGH  
26 INTENSITY PORTION OF THE LIGHT, AT A DISTANCE OF 75 FEET  
27 AHEAD, PROJECTS HIGHER THAN THE LEVEL OF THE CENTER OF THE  
28 LAMP FROM WHICH IT COMES.

29 (C) TAIL LAMP REQUIREMENTS.--THE TAIL LAMP SHALL DISPLAY A  
30 RED LIGHT PLAINLY VISIBLE DURING DARKNESS FROM A DISTANCE OF 500

1 FEET.

2 § 7742. BRAKES.

3 IT IS UNLAWFUL TO OPERATE A SNOWMOBILE OR AN OFF-ROAD VEHICLE  
4 WHICH IS NOT EQUIPPED WITH AT LEAST ONE BRAKE OF A DESIGN  
5 APPROVED BY THE DEPARTMENT OPERATED EITHER BY HAND OR BY FOOT.  
6 SNOWMOBILE BRAKES SHALL BE CAPABLE OF BRINGING THE SNOWMOBILE TO  
7 A STOP, UNDER NORMAL CONDITIONS, WITHIN 40 FEET WHEN TRAVELING  
8 AT A SPEED OF 20 MILES PER HOUR WITH A 150 POUND DRIVER AND ON  
9 HARD PACKED SNOW, OR LOCKING ITS TRACTION BELT OR BELTS. THE  
10 DESIGN SHALL PERMIT SIMPLE AND EASY ADJUSTMENT TO COMPENSATE FOR  
11 WEAR.

12 § 7743. MUFFLERS AND NOISE CONTROL.

13 (A) GENERAL RULE.--IT IS UNLAWFUL TO OPERATE A SNOWMOBILE OR  
14 AN OFF-ROAD VEHICLE WHICH IS NOT EQUIPPED AT ALL TIMES WITH A  
15 MUFFLER IN GOOD WORKING ORDER WHICH BLENDS THE EXHAUST NOISE  
16 INTO THE OVERALL SNOWMOBILE OR OFF-ROAD VEHICLE NOISE AND IS IN  
17 CONSTANT OPERATION TO PREVENT EXCESSIVE OR UNUSUAL NOISE. THE  
18 EXHAUST SYSTEM SHALL NOT EMIT OR PRODUCE A SHARP POPPING OR  
19 CRACKLING SOUND. THE SOUND INTENSITY PRODUCED BY A SNOWMOBILE  
20 SHALL NOT EXCEED 82DBA WHEN MEASURED IN ACCORDANCE WITH SAE  
21 RECOMMENDED PRACTICE J 192 EXTERIOR SOUND LEVEL FOR SNOWMOBILES,  
22 AS AMENDED. THE DEPARTMENT MAY BY REGULATION ADOPT MORE  
23 STRINGENT NOISE REQUIREMENTS.

24 (B) MODIFIED MUFFLERS PROHIBITED.--IT IS UNLAWFUL TO MODIFY  
25 A MUFFLER OR TO OPERATE A SNOWMOBILE OR AN OFF-ROAD VEHICLE WITH  
26 A MODIFIED MUFFLER.

27 (C) EXCEPTION.--THIS SECTION DOES NOT APPLY TO ORGANIZED  
28 RACES OR SIMILAR COMPETITIVE EVENTS.

29 § 7751. ENFORCEMENT PERSONNEL AND PROCEDURES.

30 (A) DUTY OF ENFORCEMENT.--EVERY LAW ENFORCEMENT OFFICER IN

1 THIS COMMONWEALTH AND DESIGNATED OFFICERS AND EMPLOYEES OF THE  
2 DEPARTMENT SHALL ENFORCE THE PROVISIONS OF THIS CHAPTER.

3 (B) FORMS AND PROCEDURES.--THE DEPARTMENT MAY PRESCRIBE THE  
4 FORM OF SUMMONS OR COMPLAINT, OR BOTH, IN ALL CASES INVOLVING A  
5 VIOLATION OF ANY PROVISION OF THIS CHAPTER OR OF ANY ORDINANCE,  
6 RULE OR REGULATION RELATING TO SNOWMOBILES OR TO OFF-ROAD  
7 VEHICLES, OR OF ANY CLASS OR CATEGORY OF SUCH CASES, AND MAY  
8 ESTABLISH PROCEDURES FOR PROPER ADMINISTRATIVE CONTROLS OVER THE  
9 DISPOSITION THEREOF.

10 (C) RECORDS AND REPORTS.--THE CHIEF EXECUTIVE OFFICER OF  
11 EACH LOCAL POLICE FORCE, SHERIFFS AND THE COMMISSIONER OF THE  
12 PENNSYLVANIA STATE POLICE SHALL PREPARE OR CAUSE TO BE PREPARED  
13 SUCH RECORDS AND REPORTS AS MAY BE PRESCRIBED UNDER THIS  
14 SECTION.

15 (D) RULES AND REGULATIONS.--THE DEPARTMENT MAY PROMULGATE  
16 SUCH RULES AND REGULATIONS AS MAY BE DEEMED NECESSARY TO  
17 ACCOMPLISH THE PURPOSES AND ENFORCE THE PROVISIONS OF THIS  
18 SECTION INCLUDING REQUIREMENTS FOR REPORTING BY TRIAL COURTS  
19 HAVING JURISDICTION OVER SNOWMOBILE OR OFF-ROAD VEHICLE  
20 VIOLATIONS.

21 § 7752. PENALTIES FOR VIOLATION OF CHAPTER.

22 (A) GENERAL RULE.--EXCEPT AS PROVIDED IN SUBSECTION (B), ANY  
23 PERSON VIOLATING ANY OF THE PROVISIONS OF THIS CHAPTER IS GUILTY  
24 OF A SUMMARY OFFENSE AND SHALL, UPON CONVICTION:

25 (1) FOR A FIRST OFFENSE, BE SENTENCED TO PAY A FINE OF  
26 NOT LESS THAN \$10 NOR MORE THAN \$50 AND COSTS OF PROSECUTION  
27 AND, IN DEFAULT OF THE PAYMENT THEREOF, SHALL UNDERGO  
28 IMPRISONMENT FOR NOT MORE THAN TEN DAYS.

29 (2) FOR A SECOND OFFENSE, BE SENTENCED TO PAY A FINE OF  
30 NOT LESS THAN \$25 NOR MORE THAN \$100 AND COSTS OF PROSECUTION



1 AND, IN DEFAULT OF THE PAYMENT THEREOF, SHALL UNDERGO  
2 IMPRISONMENT FOR NOT MORE THAN 30 DAYS.

3 (B) UNAUTHORIZED DISPOSITION OF FORMS.--ANY PERSON WHO  
4 DISPOSES OF ANY UNIFORM SNOWMOBILE OR OFF-ROAD VEHICLE SUMMONS  
5 OR COMPLAINT IN ANY OTHER MANNER THAN THAT PRESCRIBED BY LAW,  
6 RULE OR REGULATION IS GUILTY OF A MISDEMEANOR OF THE THIRD  
7 DEGREE.

8 ~~Section 2. Transitional traffic control and licensing~~ <—  
9 ~~—provisions.~~

10 ~~In addition to the transitional provisions provided in~~  
11 ~~section 2 of the act of June 17, 1976 (P.L.162, No.81), entitled~~  
12 ~~"An act amending Title 75 (Vehicles) of the Pennsylvania~~  
13 ~~Consolidated Statutes, adding revised, compiled and codified~~  
14 ~~provisions relating to vehicles and pedestrians," the following~~  
15 ~~transitional provisions regarding the exemption of existing~~  
16 ~~traffic restrictions from engineering and traffic studies and~~  
17 ~~the renewal of drivers' licenses are hereby provided and shall~~  
18 ~~apply to the pertinent provisions of Title 75 of the~~  
19 ~~Pennsylvania Consolidated Statutes:~~

20 ~~(1) Engineering and traffic studies will not be~~  
21 ~~required for traffic restrictions in effect and duly posted~~  
22 ~~on the effective date of this act, except that engineering~~  
23 ~~and traffic studies will be required within three years of~~  
24 ~~the effective date of this act in order to validate the~~  
25 ~~following types of traffic restrictions:~~

26 ~~(i) School speed zones and school signs as provided~~  
27 ~~for in section 3365(b) (relating to special speed~~  
28 ~~limitations).~~

29 ~~(ii) Stop intersections as provided for in section~~  
30 ~~6109(a)(6) (relating to specific powers of department and~~

1 ~~local authorities), where three or more approaches are~~  
2 ~~required to stop.~~

3 ~~(iii) No passing zones as provided for in section~~  
4 ~~3307 (relating to no passing zones) on two lane, two way~~  
5 ~~highways.~~

6 ~~(iv) Angle parking as provided for in section~~  
7 ~~3354(c) (relating to additional parking regulations).~~

8 ~~(v) Any maximum speed as provided for in section~~  
9 ~~3363 (relating to alteration of maximum speed units) of~~  
10 ~~less than 35 miles per hour.~~

11 ~~(2) At the time of the first renewal after July 1, 1977,~~  
12 ~~a driver holding a valid driver's license issued by the~~  
13 ~~department may have the renewed driver's license endorsed~~  
14 ~~with one or more classes of vehicles based on self~~  
15 ~~certification in driving the classes of vehicles without~~  
16 ~~undergoing an examination.~~

17 ~~Section 3. Transitional revocation and suspension~~  
18 ~~provisions.~~

19 ~~Notwithstanding the provisions of 75 Pa.C.S. § 1543(b)(3)~~  
20 ~~(relating to extending existing suspension), the Department of~~  
21 ~~Transportation, upon receiving a certified record of the~~  
22 ~~conviction of any person upon a charge of driving a vehicle~~  
23 ~~while the operating privilege was revoked for one year under~~  
24 ~~section 616(a) of "The Vehicle Code" of 1959 or revoked for six~~  
25 ~~months or one year under Title 75 of the Pennsylvania~~  
26 ~~Consolidated Statutes prior to the effective date of this~~  
27 ~~amendatory act, shall suspend such operating privilege for an~~  
28 ~~additional like period.~~

29 ~~Section 4. Color photograph requirement deadline.~~

30 ~~The requirement for a color photograph on an identification~~

1 ~~card provided for in 75 Pa.C.S. § 1510 (relating to issuance and~~  
2 ~~content of driver's license) as added by the act of June 17,~~  
3 ~~1976 (P.L.162, No.81) shall be implemented no later than July 1,~~  
4 ~~1978.~~

5 ~~Section 5. Repeals.~~

6 ~~Sections 2(h) and 8(d), act of June 17, 1976 (P.L.162,~~  
7 ~~No.81), entitled "An act amending Title 75 (Vehicles) of the~~  
8 ~~Pennsylvania Consolidated Statutes, adding revised, compiled and~~  
9 ~~codified provisions relating to vehicles and pedestrians," are~~  
10 ~~hereby repealed.~~

11 ~~Section 209(b)(2) and (3), act of July 15, 1976 (P.L.1014,~~  
12 ~~No.204), known as the "Magisterial District Reform Act," is~~  
13 ~~hereby repealed.~~

14 ~~Section 6. Effective date.~~

15 ~~This act shall take effect July 1, 1977, or immediately,~~  
16 ~~whichever is later, except that the provisions of 75 Pa.C.S. §~~  
17 ~~6122(e) shall take effect July 1, 1978.~~

18 SECTION 2. ~~SECTION 5553(E) OF TITLE 42 IS~~ SECTION 3571(B) <—  
19 AND 5553(E) OF TITLE 42 ARE amended to read:

20 § 3571. COMMONWEALTH PORTION OF FINES, ETC. <—

21 \* \* \*

22 (B) VEHICLE OFFENSES.--

23 (1) ALL FINES FORFEITED, RECOGNIZANCES AND OTHER  
24 FORFEITURES IMPOSED, LOST OR FORFEITED IN CONNECTION WITH  
25 MATTERS ARISING UNDER CHAPTER 77 OF TITLE 75 (RELATING TO  
26 SNOWMOBILES) SHALL BE PAYABLE TO THE COMMONWEALTH.

27 (2) WHEN PROSECUTION UNDER ANY OTHER PROVISION OF TITLE  
28 75 (RELATING TO VEHICLES) IS THE RESULT OF STATE POLICE  
29 ACTION, ALL FINES FORFEITED, RECOGNIZANCES AND OTHER  
30 FORFEITURES IMPOSED, LOST OR FORFEITED SHALL BE PAYABLE TO

1 THE COMMONWEALTH, FOR CREDIT TO THE MOTOR LICENSE FUND. ONE-  
2 HALF OF THE REVENUE SHALL BE PAID TO MUNICIPALITIES IN THE  
3 SAME RATIO PROVIDED IN SECTION 4 OF THE ACT OF JUNE 1, 1956  
4 (P.L.1944, NO.655), RELATING TO PARTIAL ALLOCATION OF LIQUID  
5 FUELS AND FUEL USE TAX PROCEEDS.

6 (3) [WHEN] EXCEPT AS OTHERWISE PROVIDED IN SECTION  
7 3573(B)(1)(RELATING TO MUNICIPAL CORPORATION PORTION OF  
8 FINES, ETC.), WHEN PROSECUTION UNDER ANY OTHER PROVISION OF  
9 TITLE 75 IS THE RESULT OF LOCAL POLICE ACTION, ONE-HALF OF  
10 ALL FINES FORFEITED, RECOGNIZANCES AND OTHER FORFEITURES  
11 IMPOSED, LOST OR FORFEITED SHALL BE PAYABLE TO THE  
12 COMMONWEALTH, FOR CREDIT TO THE MOTOR LICENSE FUND.

13 \* \* \*

14 § 5553. SUMMARY OFFENSES INVOLVING VEHICLES.

15 \* \* \*

16 (E) DISPOSITION OF PROCEEDINGS WITHIN TWO YEARS.--NO  
17 PROCEEDINGS SHALL BE HELD OR ACTION TAKEN BY THE DISTRICT  
18 JUSTICE PURSUANT TO A SUMMARY OFFENSE UNDER TITLE 75 SUBSEQUENT  
19 TO TWO YEARS AFTER THE COMMISSION OF THE OFFENSE. ANY SUCH  
20 SUMMARY OFFENSE NOT CONCLUDED BY A PLEA OR FINDING WITHOUT SUCH  
21 TWO-YEAR PERIOD FROM THE COMMISSION OF THE OFFENSE SHALL BE  
22 VACATED AND NO FURTHER ACTION TAKEN THEREON.

23 SECTION 3. TRANSITION PROVISIONS.

24 (A) ENGINEERING AND TRAFFIC STUDIES.--ENGINEERING AND  
25 TRAFFIC STUDIES UNDER THE PERTINENT PROVISIONS OF TITLE 75 OF  
26 THE PENNSYLVANIA CONSOLIDATED STATUTES WILL NOT BE REQUIRED FOR  
27 TRAFFIC RESTRICTIONS IN EFFECT AND DULY POSTED OR ERECTED ON THE  
28 EFFECTIVE DATE OF THIS ACT IF THE DEPARTMENT OF TRANSPORTATION  
29 OR LOCAL AUTHORITIES HAVE ON FILE EVIDENCE THAT THE TRAFFIC  
30 RESTRICTIONS WERE SO POSTED OR ERECTED, EXCEPT THAT ENGINEERING

1 AND TRAFFIC STUDIES WILL BE REQUIRED WITHIN THREE YEARS OF THE  
2 EFFECTIVE DATE OF THIS ACT IN ORDER TO VALIDATE THE FOLLOWING  
3 TYPES OF TRAFFIC RESTRICTIONS ON STATE-DESIGNATED HIGHWAYS:

4 NO-PASSING ZONES AS PROVIDED FOR IN SECTION 3307  
5 (RELATING TO NO-PASSING ZONES) ON TWO LANE, TWO-WAY HIGHWAYS.

6 ANGLE PARKING AS PROVIDED FOR IN SECTION 3354(C)  
7 (RELATING TO ADDITIONAL PARKING REGULATIONS).

8 ANY MAXIMUM SPEED AS PROVIDED FOR IN SECTION 3363  
9 (RELATING TO ALTERATION OF MAXIMUM LIMITS) OF LESS THAN 35  
10 MILES PER HOUR.

11 (B) REGISTRATION OF VEHICLES.--

12 (1) STAGGERED REGISTRATION RENEWAL SYSTEM.--THE  
13 REQUIREMENT FOR A SYSTEM OF STAGGERED REGISTRATION RENEWAL  
14 PROVIDED FOR IN 75 PA.C.S. § 1307 (RELATING TO PERIOD OF  
15 REGISTRATION) AS ADDED BY THE ACT OF JULY 17, 1976 (P.L.162,  
16 NO.81) SHALL BE IMPLEMENTED NO LATER THAN JULY 1, 1979.

17 (2) PRORATION OF REGISTRATION FEES.--

18 (I) WHEN REGISTRATION OF A VEHICLE IS APPLIED FOR  
19 AFTER THE BEGINNING OF THE SEVENTH MONTH OF THE  
20 REGISTRATION YEAR BUT BEFORE THE BEGINNING OF THE TENTH  
21 MONTH OF THE REGISTRATION YEAR, THE FEE FOR REGISTRATION  
22 OF A VEHICLE SHALL BE ONE-HALF THE ANNUAL FEE.

23 (II) WHEN THE REGISTRATION IS APPLIED FOR AFTER THE  
24 BEGINNING OF THE TENTH MONTH OF THE REGISTRATION YEAR,  
25 THE FEE FOR REGISTRATION OF A VEHICLE SHALL BE ONE-FOURTH  
26 THE ANNUAL FEE.

27 (III) WHEN REGISTRATION OF A VEHICLE FOR A FULL YEAR  
28 IS APPLIED FOR DURING THE 15 DAYS PRECEDING THE BEGINNING  
29 OF THE REGISTRATION YEAR, NO ADDITIONAL CHARGE SHALL BE  
30 MADE FOR REGISTERING THE VEHICLE FOR THE BALANCE OF THE

PRECEDING YEAR.

(IV) THE PROVISIONS OF THIS PARAGRAPH SHALL EXPIRE WHEN THE DEPARTMENT OF TRANSPORTATION IMPLEMENTS A STAGGERED REGISTRATION SYSTEM.

(3) VEHICLES FIRST REQUIRED TO BE REGISTERED.--VEHICLES OF A TYPE REQUIRED FOR THE FIRST TIME TO BE REGISTERED UNDER TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES SHALL NOT BE REQUIRED TO BE REGISTERED UNTIL THE NEXT REGISTRATION YEAR.

(C) DRIVERS' LICENSES.--

(1) EXEMPTION FROM EXAMINATION.--AT THE TIME OF THE FIRST RENEWAL AFTER JULY 1, 1977, A DRIVER HOLDING A VALID DRIVER'S LICENSE ISSUED BY THE DEPARTMENT OF TRANSPORTATION MAY HAVE THE RENEWED DRIVER'S LICENSE ENDORSED FOR CLASS 2 OR 3 VEHICLES BASED ON SELF CERTIFICATION OF EXPERIENCE IN DRIVING SUCH VEHICLES WITHOUT UNDERGOING AN EXAMINATION.

(2) COLOR PHOTOGRAPH.--THE REQUIREMENT FOR A COLOR PHOTOGRAPH ON AN IDENTIFICATION CARD AND DRIVER'S LICENSE PROVIDED FOR IN 75 PA.C.S. § 1510 (RELATING TO ISSUANCE AND CONTENT OF DRIVER'S LICENSE) AS ADDED BY THE ACT OF JUNE 17, 1976 (P.L.162, NO.81), SHALL BE IMPLEMENTED NO LATER THAN JULY 1, 1979.

(3) REVOCATIONS AND SUSPENSIONS.--

(I) A PERSON WHOSE DRIVER'S LICENSE WAS REVOKED FOR VIOLATION OF THE FORMER PROVISIONS OF SECTION 1037 (RELATING TO DRIVING UNDER THE INFLUENCE OF LIQUOR OR DRUGS) OF THE ACT OF APRIL 29, 1959 (P.L.58, NO.32), KNOWN AS "THE VEHICLE CODE," UPON NOTIFYING THE DEPARTMENT OF TRANSPORTATION OF SUCH REVOCATION, SHALL BE ENTITLED TO A REINSTATEMENT OF THE REVOKED DRIVER'S

LICENSE UPON THE EXPIRATION OF SIX MONTHS FROM THE  
COMMENCEMENT OF THE PERIOD OF REVOCATION AND UPON  
COMPLIANCE WITH REQUIREMENTS APPLICABLE TO THE  
REINSTATEMENT OF REVOKED LICENSES.

(II) NOTWITHSTANDING THE PROVISIONS OF 75 PA.C.S. §  
1543(B)(3) (RELATING TO EXTENDING EXISTING SUSPENSION OR  
REVOCATION), THE DEPARTMENT, UPON RECEIVING A CERTIFIED  
RECORD OF THE CONVICTION OF ANY PERSON UPON A CHARGE OF  
DRIVING A VEHICLE WHILE THE OPERATING PRIVILEGE WAS  
REVOKED FOR ONE YEAR UNDER THE FORMER PROVISIONS OF  
SECTION 616(A) (RELATING TO REVOCATION OF OPERATING  
PRIVILEGE) OF "THE VEHICLE CODE" OF 1959 OR REVOKED FOR  
SIX MONTHS OR ONE YEAR UNDER TITLE 75 OF THE PENNSYLVANIA  
CONSOLIDATED STATUTES PRIOR TO THE EFFECTIVE DATE OF THIS  
ACT, SHALL SUSPEND SUCH OPERATING PRIVILEGE FOR AN  
ADDITIONAL LIKE PERIOD.

SECTION 4. VALIDATION OF PRIOR ACTIONS.

ANY PERSON REQUIRED TO TAKE OR PROHIBITED FROM TAKING ANY  
ACTION UNDER THE PROVISIONS OF TITLE 75 OF THE PENNSYLVANIA  
CONSOLIDATED STATUTES BETWEEN JULY 1, 1977 AND THE EFFECTIVE  
DATE OF THIS ACT SHALL BE DEEMED TO HAVE COMPLIED WITH THE LAW  
IF THE ACTION TAKEN OR NOT TAKEN IS IN CONFORMITY WITH THE  
APPLICABLE PROVISIONS AS CHANGED OR ADDED BY THIS ACT.

SECTION 5. REPEALS.

SECTION 2(F), (G) AND (H), ACT OF JUNE 17, 1976 (P.L.162,  
NO.81), ENTITLED "AN ACT AMENDING TITLE 75 (VEHICLES) OF THE  
PENNSYLVANIA CONSOLIDATED STATUTES, ADDING REVISED, COMPILED AND  
CODIFIED PROVISIONS RELATING TO VEHICLES AND PEDESTRIANS," IS  
HEREBY REPEALED.

THE ACT OF JULY 25, 1977 (NO.35), KNOWN AS THE "MOBILE HOME

1   TITLING ACT," IS HEREBY REPEALED INsofar AS INCONSISTENT WITH  
2   THIS ACT.

3       SECTION 6.   EFFECTIVE DATE.

4       (A)   GENERAL RULE.--EXCEPT AS PROVIDED IN SUBSECTION (B),  
5   THIS ACT SHALL TAKE EFFECT IN 60 DAYS.

6       (B)   EFFECTIVE IN 90 DAYS.--THE FOLLOWING PROVISIONS OF TITLE  
7   75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES, INsofar AS  
8   AFFECTED BY THIS ACT, SHALL TAKE EFFECT IN 90 DAYS:

9           SECTION 1514 (RELATING TO EXPIRATION AND RENEWAL OF  
10   DRIVERS' LICENSES).

11          SECTION 1519 (RELATING TO DETERMINATION OF INCOMPETENCY).

12          SECTION 1532 (RELATING TO SUSPENSION OR REVOCATION OF  
13   OPERATING PRIVILEGE).

14          SECTION 1535 (RELATING TO SCHEDULE OF CONVICTIONS AND  
15   POINTS).

16          SECTION 1538 (RELATING TO SCHOOL, EXAMINATION OR HEARING  
17   ON ACCUMULATION OF POINTS OR EXCESSIVE SPEEDING).

18          SECTION 1539 (RELATING TO SUSPENSION OF OPERATING  
19   PRIVILEGE ON ACCUMULATION OF POINTS).

20          SECTION 1542 (RELATING TO REVOCATION OF HABITUAL  
21   OFFENDER'S LICENSE).

22          SECTION 1543 (RELATING TO DRIVING WHILE OPERATING  
23   PRIVILEGE IS SUSPENDED OR REVOKED).

24          SECTION 1545 (RELATING TO RESTORATION OF OPERATING  
25   PRIVILEGE).

26          SECTION 1551 (RELATING TO NOTICE OF DEPARTMENT ACTION).

27          SECTION 1572 (RELATING TO SUSPENSION OF OPERATING  
28   PRIVILEGE).