

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 511 Session of  
1995

INTRODUCED BY REBER, GEIST, MANDERINO, LEH, PETTIT, DeLUCA,  
GODSHALL, TIGUE, BROWN, GORDNER, JAROLIN, HENNESSEY,  
E. Z. TAYLOR, MICOZZIE, FARMER, MAYERNIK, HUTCHINSON, BUNT,  
RAYMOND, BELFANTI, JADLOWIEC, TRELLO, SERAFINI, YOUNGBLOOD,  
THOMAS, SAYLOR, MILLER, SURRA, CAWLEY, HESS, STABACK, STERN,  
WOZNIAK, McGEEHAN, CLARK, GEORGE, SATHER, DENT, J. TAYLOR,  
STISH, CALTAGIRONE, LAUGHLIN, BATTISTO, RUBLEY, MELIO,  
M. N. WRIGHT, HERSHEY, CARN, WOGAN, STEELMAN, ROONEY, NICKOL,  
CIVERA, ITKIN, HALUSKA, CURRY, BARD AND STRITTMATTER,  
FEBRUARY 1, 1995

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JUNE 19, 1995

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for ~~the registration, fees and~~ <—  
3 ~~inspection of farm vehicles and for surrender of license.~~  
4 DEFINITIONS, FOR VEHICLES EXEMPT FROM REGISTRATION, FOR <—  
5 MULTIPURPOSE DEALER REGISTRATION PLATES ~~AND~~, FOR REGULATING <—  
6 HANDICAPPED PLATE AND PLACARD, FOR SURRENDER OF LICENSE AND <—  
7 FOR AVAILABILITY, SCOPE AND AMOUNT OF INSURANCE COVERAGE;  
8 ~~PROVIDING FOR PROPERTY VALUATION SERVICES;~~ AND FURTHER <—  
9 PROVIDING FOR FARM VEHICLES, FOR PERIODIC INSPECTION OF  
10 VEHICLES AND FOR OPERATION OF VEHICLES WITHOUT INSPECTION  
11 CERTIFICATES.

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

14 ~~Section 1. Section 1302(10) of Title 75 of the Pennsylvania~~ <—  
15 ~~Consolidated Statutes, amended December 7, 1994 (P.L.820,~~  
16 ~~No.115), is amended to read:~~

17 SECTION 1. SECTION 102 OF TITLE 75 OF THE PENNSYLVANIA <—

1 CONSOLIDATED STATUTES IS AMENDED BY ADDING A DEFINITION TO READ:  
2 § 102. DEFINITIONS.

3 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT  
4 PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC  
5 PROVISIONS OF THIS TITLE, THE FOLLOWING WORDS AND PHRASES WHEN  
6 USED IN THIS TITLE SHALL HAVE, UNLESS THE CONTEXT CLEARLY  
7 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

8 \* \* \*

9 "SECOND-STAGE MANUFACTURER." A PERSON ENGAGED IN PERFORMING  
10 MANUFACTURING OPERATIONS ON AN INCOMPLETE VEHICLE PRODUCED BY A  
11 MANUFACTURER.

12 \* \* \*

13 SECTION 2. SECTIONS 1302(10), 1336.1, 1338(B) AND 1540(B) OF <—  
14 TITLE 75 ARE AMENDED TO READ:

15 § 1302. Vehicles exempt from registration.

16 The following types of vehicles are exempt from registration:

17 \* \* \*

18 (10) Any farm vehicle used exclusively upon a farm or  
19 farms owned or operated by the owner of the vehicle.

20 (i) Type I--Such a farm vehicle which does not  
21 qualify as a motor carrier vehicle may be driven upon  
22 highways only from sunrise to sunset. However, a farm  
23 vehicle which qualifies as a motor carrier vehicle and  
24 displays a currently valid certificate of inspection may  
25 be driven upon highways without any restriction as to  
26 time.

27 [(ii) Such] Such a farm vehicle may only be driven  
28 on highways between:

29 (A) Parts of one such farm.

30 (B) Such farms located not more than 25 miles

1           apart.

2           (C) Such farm or farms and a place of business  
3           located within a radius of 25 miles from such farm or  
4           farms for the purpose of buying or selling  
5           agricultural commodities or supplies.

6           (D) Such farm or farms and a place of business  
7           located within a radius of 50 miles from such farm or  
8           farms for the purpose of repair or servicing of the  
9           farm vehicle.

10          (ii) Type II--Such a farm vehicle which does qualify  
11          as a motor carrier vehicle and which does not display a  
12          currently valid certificate of inspection may be driven  
13          upon highways only from sunrise to sunset and between:

14                (A) Parts of one such farm.

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

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

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

25          (iii) A biennial certificate of exemption shall be  
26          required for such a farm vehicle.

27          (iv) The owner of the farm vehicle shall maintain  
28          such minimum levels of liability insurance coverage on  
29          the vehicle as are required to be maintained under  
30          Chapter 17 (relating to financial responsibility) by

owners of registered motor vehicles. The owner shall satisfy the requirements of this subparagraph if the minimum amounts of liability insurance coverage for the farm vehicle have been provided under farm liability insurance coverage maintained generally by the owner. Coverage prescribed in Subchapter B of Chapter 17 shall not be required to be maintained or provided for the farm vehicle.

\* \* \*

~~Section 2. Section 1540(b) of Title 75 is amended to read:~~

§ 1336.1. USE OF MULTIPURPOSE DEALER REGISTRATION PLATES.

(A) GENERAL RULE.--SUBJECT TO THE REQUIREMENT THAT THE VEHICLES ON WHICH MULTIPURPOSE DEALER REGISTRATION PLATES ARE USED, CONFORM TO OR ARE LOWER THAN THE WEIGHT LIMITS FOR WHICH THE PLATES WERE PURCHASED, THE MULTIPURPOSE DEALER REGISTRATION PLATES MAY BE USED ON VEHICLES OWNED BY OR IN POSSESSION OF A DEALER OR MANUFACTURER. ALL VEHICLES UTILIZING THE MULTIPURPOSE DEALER REGISTRATION PLATE SHALL BE TITLED IN THE NAME OF THE BUSINESS OR FAMILY MEMBER, AND SALES AND USE TAX MUST BE PAID.

(B) EXCEPTION FOR SECOND-STAGE MANUFACTURERS.--A TITLE IN THE NAME OF THE BUSINESS OR FAMILY MEMBER AND PAYMENT OF SALES AND USE TAX ARE NOT REQUIRED FOR A VEHICLE WHICH HAS NEVER BEEN TITLED AS LONG AS THE VEHICLE:

(1) IS IN POSSESSION OF A SECOND-STAGE MANUFACTURER AND IS BEING TRANSPORTED FROM A DEALER OR DISTRIBUTOR FOR COMPLETION OR DELIVERED TO A DEALER OR DISTRIBUTOR UPON COMPLETION; OR

(2) IS OWNED OR IN POSSESSION OF A DEALER AND IS BEING DELIVERED TO THE SECOND-STAGE MANUFACTURER FOR COMPLETION OR IS BEING TRANSPORTED BACK TO THE DEALER UPON COMPLETION.

1 § 1338. HANDICAPPED PLATE AND PLACARD.

2 \* \* \*

3 (B) HANDICAPPED PARKING PLACARD.--ON THE INITIAL APPLICATION  
4 OR RENEWAL APPLICATION OF ANY PERSON WHO MEETS THE  
5 QUALIFICATIONS OF SUBSECTION (A), THE DEPARTMENT SHALL ISSUE ONE  
6 SPECIAL PARKING PLACARD OF SUCH SIZE AND DESIGN AS THE  
7 DEPARTMENT SHALL SPECIFY, DESIGNATING THE VEHICLE IN WHICH IT IS  
8 DISPLAYED AS BEING USED FOR THE TRANSPORTATION OF A HANDICAPPED  
9 PERSON. WHEN PARKING THE DESIGNATED VEHICLE, THE HANDICAPPED  
10 PARKING PLACARD SHALL BE PROMINENTLY DISPLAYED IN SUCH A MANNER  
11 THAT IT MAY BE VIEWED FROM THE FRONT AND REAR OF THE VEHICLE BY  
12 HANGING IT FROM THE FRONT WINDSHIELD REARVIEW MIRROR OF A  
13 VEHICLE ONLY WHEN THAT VEHICLE IS UTILIZING A PARKING SPACE  
14 RESERVED FOR PERSONS WITH DISABILITIES. WHEN THERE IS NO  
15 REARVIEW MIRROR, OR THE PLACARD IS NOT DESIGNED IN SUCH A MANNER  
16 TO ACCOMMODATE HANGING FROM A REARVIEW MIRROR, THE PLACARD SHALL  
17 BE DISPLAYED ON THE DASHBOARD. PLACARDS MAY ALSO BE ISSUED FOR  
18 USE IN VEHICLES WHEN OPERATED FOR THE USE AND BENEFIT OF  
19 HANDICAPPED PERSONS. ORGANIZATIONS WHICH TRANSPORT PERSONS IN  
20 VEHICLES OPERATED FOR THE USE AND BENEFIT OF HANDICAPPED PERSONS  
21 SHALL BE ISSUED NOT MORE THAN EIGHT PLACARDS IN THE  
22 ORGANIZATION'S NAME.

23 \* \* \*

24 § 1540. Surrender of license.

25 \* \* \*

26 (b) Suspension, revocation or disqualification of operating  
27 privilege.--

28 (1) Upon the suspension or revocation of the operating  
29 privilege or the disqualification of the commercial operating  
30 privilege of any person by the department, the department

1 shall forthwith notify the person in writing at the address  
2 of record to surrender his driver's license to the department  
3 for the term of suspension, revocation or disqualification.

4 (2) The department shall include with the written notice  
5 of suspension, revocation or disqualification a form for  
6 acknowledging the suspension, revocation or disqualification,  
7 which form shall be filed with the department if the person  
8 has no license to surrender.

9 (3) The suspension, revocation or disqualification shall  
10 be effective upon the earlier of:

11 (i) a date determined by the department; or

12 (ii) the date of [surrender] filing or mailing of  
13 the license or acknowledgment to the department, if that  
14 date is subsequent to the department's notice to  
15 surrender the license[, whichever occurs first].

16 (4) Upon surrender of the license or acknowledgment, the  
17 department shall issue a receipt showing the date that it  
18 received the license or acknowledgment.

19 \* \* \*

20 ~~SECTION 3. TITLE 75 IS AMENDED BY ADDING A SECTION TO READ:~~ <—

21 ~~§ 1799.8. PROPERTY VALUATION SERVICES.~~

22 ~~NO STATUTE OR REGULATION SPECIFYING A NAMED VENDOR TO PROVIDE~~  
23 ~~PROPERTY VALUATION SERVICES SHALL BE VALID. THE RIGHTFUL USE OF~~  
24 ~~ANY RECOGNIZED AND DOCUMENTED SOURCE THAT PRODUCES PENNSYLVANIA~~  
25 ~~LOCAL MARKET VALUES SHALL NOT BE LIMITED OR ABRIDGED AND SHALL~~  
26 ~~BE PERMITTED UNLESS FOR GOOD CAUSE SHOWN, PURSUANT TO NOTICE AND~~  
27 ~~HEARING, THE INSURANCE COMMISSIONER SHALL FIND SUCH SOURCE NOT~~  
28 ~~TO BE VERIFIABLE AND ACTING IN THE BEST INTERESTS OF THIS~~  
29 ~~COMMONWEALTH.~~

30 SECTION 3. SECTION 1731(B.1) OF TITLE 75 IS AMENDED AND THE <—

1 SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:

2 § 1731. AVAILABILITY, SCOPE AND AMOUNT OF COVERAGE.

3 \* \* \*

4 (B.1) LIMITATION OF REJECTION.--[UNINSURED MOTORIST COVERAGE  
5 CANNOT BE REJECTED ON MOTOR VEHICLE LIABILITY INSURANCE POLICIES  
6 WRITTEN FOR VEHICLES REFERRED TO AS "COMMON CARRIERS BY MOTOR  
7 VEHICLE" AS DEFINED IN 66 PA.C.S. § 102 (RELATING TO  
8 DEFINITIONS).] UNINSURED MOTORIST PROTECTION MAY BE REJECTED FOR  
9 THE DRIVER AND PASSENGERS FOR RENTAL OR LEASE VEHICLES WHICH ARE  
10 NOT OTHERWISE COMMON CARRIERS BY MOTOR VEHICLE, BUT SUCH  
11 COVERAGE MAY ONLY BE REJECTED IF THE RENTAL OR LEASE AGREEMENT  
12 IS SIGNED BY THE PERSON RENTING OR LEASING THE VEHICLE AND  
13 CONTAINS THE FOLLOWING REJECTION LANGUAGE:

14 REJECTION OF UNINSURED MOTORIST PROTECTION  
15 I AM REJECTING UNINSURED MOTORIST COVERAGE UNDER THIS  
16 RENTAL OR LEASE AGREEMENT, AND ANY POLICY OF INSURANCE OR  
17 SELF-INSURANCE ISSUED UNDER THIS AGREEMENT, FOR MYSELF  
18 AND ALL OTHER PASSENGERS OF THIS VEHICLE. UNINSURED  
19 COVERAGE PROTECTS ME AND OTHER PASSENGERS IN THIS VEHICLE  
20 FOR LOSSES AND DAMAGES SUFFERED IF INJURY IS CAUSED BY  
21 THE NEGLIGENCE OF A DRIVER WHO DOES NOT HAVE ANY  
22 INSURANCE TO PAY FOR LOSSES AND DAMAGES.

23 (B.2) REJECTION LANGUAGE CHANGE.--THE REJECTION LANGUAGE OF  
24 SUBSECTION (B.1) MAY ONLY BE CHANGED GRAMMATICALLY TO REFLECT A  
25 DIFFERENCE IN TENSE IN THE RENTAL AGREEMENT OR LEASE AGREEMENT.

26 (B.3) VEHICLE RENTAL SERVICES.--THE REQUIREMENTS OF  
27 SUBSECTION (B.1) MAY BE MET IN CONNECTION WITH AN EXPEDITED  
28 VEHICLE RENTAL SERVICE, WHICH SERVICE BY AGREEMENT OF THE RENTER  
29 DOES NOT REQUIRE THE RENTER'S SIGNATURE FOR EACH RENTAL, IF A  
30 MASTER ENROLLMENT OR RENTAL AGREEMENT CONTAINS THE REJECTION

1 LANGUAGE OF SUBSECTION (B.1) AND SUCH AGREEMENT IS SIGNED BY THE  
2 RENTER.

3 \* \* \*

4 Section 3 4. Sections 1924, 4702(a) and 4703(a) of Title 75, <—  
5 ~~amended December 7, 1994 (P.L.820, No.115),~~ are amended to read:  
6 § 1924. Farm vehicles.

7 (a) General rule.--The annual fee for registration of a farm  
8 vehicle shall be \$51 or one-third of the regular fee, whichever  
9 is greater.

10 (b) Certificate of exemption.--The biennial processing fee  
11 for a certificate of exemption issued in lieu of registration of  
12 a farm vehicle [with a gross weight or gross vehicle weight  
13 rating of 17,000 pounds or less shall be \$24.

14 (c) Certificate of exemption for farm vehicle qualifying as  
15 a motor carrier vehicle.--The biennial processing fee for a  
16 certificate of exemption issued in lieu of registration of a  
17 farm vehicle with a gross weight or gross vehicle weight rating  
18 greater than 17,000 pounds shall be \$100.] shall be determined  
19 by the type of certificate issued and the gross weight or  
20 combination weight or weight rating according to the following  
21 table:

<u>Certificate type</u>	<u>Weight in pounds</u>	<u>Fee</u>
<u>Type I</u>	<u>17,000 or less</u>	<u>\$24</u>
<u>Type II</u>	<u>greater than 17,000</u>	<u>50</u>
<u>Type I</u>	<u>greater than 17,000</u>	<u>100</u>

26 § 4702. Requirement for periodic inspection of vehicles.

27 (a) Annual safety inspection.--Except as provided in  
28 subsection (b), the department shall establish a system of  
29 annual safety inspection of vehicles, including emergency  
30 vehicles, farm vehicles with a gross weight or gross vehicle



1 weight rating of greater than 17,000 pounds for which a Type I  
2 biennial certificate of exemption has been issued and private  
3 noncommercial vehicles used to transport students.

4 \* \* \*

5 § 4703. Operation of vehicle without official certificate of  
6 inspection.

7 (a) General rule.--Except as otherwise provided in this  
8 section, no motor vehicle required to bear current registration  
9 plates issued by this Commonwealth and no farm vehicle with a  
10 gross weight or gross vehicle weight rating of greater than  
11 17,000 pounds for which a Type I biennial certificate of  
12 exemption has been issued shall be driven and no trailer  
13 required to bear current registration plates issued by this  
14 Commonwealth shall be moved on a highway and no mass transit  
15 vehicle shall be operated unless the vehicle displays a  
16 currently valid certificate of inspection issued under this  
17 chapter.

18 \* \* \*

19 Section ~~4~~ 5. The Department of Transportation may establish <—  
20 the EQUIPMENT STANDARDS AND inspection criteria required for <—  
21 applicable farm vehicles with a gross weight or gross vehicle  
22 weight rating of greater than 17,000 pounds for which a Type I  
23 biennial certificate of exemption has been issued by publishing  
24 a notice in the Pennsylvania Bulletin until the regulations  
25 governing these EQUIPMENT STANDARDS AND inspection criteria are <—  
26 promulgated by the Department of Transportation.

27 SECTION 6. THE AMENDMENT OF 75 PA.C.S. § 1731(B.1) SHALL BE <—  
28 RETROACTIVE TO DECEMBER 28, 1994.

29 Section ~~5-6~~ 7. This act shall take effect as follows: <—

30 (1) The amendment of 75 Pa.C.S. §§ 1302, 1924, 4702(a)

1       and 4703(a) shall take effect immediately.

2           (2)   Section 4 5 and this section shall take effect       <—  
3       immediately.

4           (3)   The remainder of this act shall take effect in 60  
5       days.