

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2374 Session of
2012

INTRODUCED BY MARSHALL, GEIST, MAHER, BAKER, BEAR, BOBACK,
BROOKS, COX, CUTLER, EVANKOVICH, J. EVANS, EVERETT, FLECK,
GIBBONS, GILLEN, GINGRICH, GODSHALL, GRELL, HARRIS, HESS,
HICKERNELL, HUTCHINSON, KAUFFMAN, F. KELLER, LAWRENCE,
LONGIETTI, MICOZZIE, MILLARD, MILLER, MOUL, OBERLANDER,
QUINN, REED, SAYLOR, SIMMONS, STEVENSON, SWANGER, TOOHL,
VULAKOVICH, WATSON, STERN, KNOWLES, PICKETT AND DENLINGER,
MAY 16, 2012

AS REPORTED FROM COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 22, 2012

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions, further providing for
3 definitions; in registration of vehicles, further providing
4 for vehicles exempt from registration; in fees, further
5 providing for farm vehicles; and, in inspection of vehicles,
6 further providing for requirement for periodic inspection of
7 vehicles and for operation of vehicle without official
8 certificate of inspection.

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

11 Section 1. The definition of "commercial implement of
12 husbandry" in section 102 of Title 75 of the Pennsylvania
13 Consolidated Statutes is amended to read:

14 § 102. Definitions.

15 Subject to additional definitions contained in subsequent
16 provisions of this title which are applicable to specific
17 provisions of this title, the following words and phrases when

used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

* * *

"Commercial implement of husbandry." An implement of husbandry that:

(1) Is a self-propelled vehicle.

(2) Is used [commercially] ~~exclusively~~ to perform
agricultural production or harvesting activities EXCLUSIVELY
on farms other than farms owned or operated by the owner of
the implement of husbandry.

[(3) Is operated or moved upon highways for not more than 180 days in a calendar year.]

The term also includes any other vehicle determined by the department to be a commercial implement of husbandry.

* * *

Section 2. Section 1302(2) and (10) of Title 75 are amended and the section is amended by adding paragraphs to read:

§ 1302. Vehicles exempt from registration.

The following types of vehicles are exempt from registration:

* * *

[(2) Any implement of husbandry, trailer or semitrailer determined by the department to be used exclusively for agricultural operations and only infrequently operated upon highways. Vehicles exempt from registration under this paragraph shall be used exclusively upon a farm or farms owned or operated by the owner of the vehicle or upon highways between:

(i) Parts of one such farm.

(ii) Such farms located not more than 25 miles apart.

(iii) Such farm or farms and a place of business located within a radius of 25 miles from such farm or farms for the purpose of buying or selling agricultural commodities or supplies or for delivery, repair or servicing of the vehicle.]

(2.1) Any implement of husbandry, other than a commercial implement of husbandry, used exclusively for agricultural operations. Vehicles are exempt from registration under this paragraph when operated within 50 miles of the farm or farms owned or operated by the vehicle owner.

(2.2) Any implement of husbandry, trailer or semitrailer used exclusively for agricultural operations when being towed or hauled by an implement of husbandry or farm vehicle within 50 miles of the farm or farms owned or operated by the owner of the towed or hauled vehicle.

* * *

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

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

(A) Parts of one such farm.

(B) Such farms located not more than 25 miles apart.

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

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

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

13 (A) Parts of one such farm.

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

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

20 (D) Such farm or farms and a place of business
21 located within a radius of 25 miles from such farm or
22 farms for the purpose of repair or servicing of the
23 farm vehicle.], subject to the following:

24 (i.1) Type A--Such a farm vehicle with a gross
25 vehicle weight rating not exceeding 10,000 pounds may be
26 driven upon highways only from sunrise to sunset and
27 between:

28 (A) Parts of one such farm.

29 (B) Such farms located not more than 50 miles
30 apart.

1 (C) Such farm or farms and a place of business
2 located within a radius of 50 miles from such farm or
3 farms for the purpose of buying or selling
4 agricultural commodities or supplies.

5 (D) Such farm or farms and a place of business
6 located within a radius of 50 miles from such farm or
7 farms for the purpose of repairing or servicing of
8 the farm vehicle or the trailer or semitrailer being
9 towed or hauled by the farm vehicle.

10 (i.2) Type B--Such a farm vehicle with a gross
11 vehicle weight rating of greater than 10,000 pounds and
12 not exceeding 17,000 pounds may be driven upon highways
13 only from sunrise to sunset and between:

14 (A) Parts of one such farm.

15 (B) Such farms located not more than 25 miles
16 apart.

17 (C) Such farm or farms and a place of business
18 located within a radius of 25 miles from such farm or
19 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 50 miles from such farm or
23 farms for the purpose of repairing or servicing of
24 the farm vehicle or the trailer or semitrailer being
25 towed or hauled by the farm vehicle.

26 (i.3) Type C--Such a farm vehicle which does qualify
27 as a motor carrier vehicle and which does not display a
28 currently valid certificate of inspection may be driven
29 upon highways only from sunrise to sunset and between:

30 (A) Parts of one such farm.

1 (B) Such farms located not more than ten miles
2 apart.

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

7 (D) Such farm or farms and a place of business
8 located within a radius of 25 miles from such farm or
9 farms for the purpose of repairing or servicing of
10 the farm vehicle or the trailer or semitrailer being
11 towed or hauled by the farm vehicle.

12 (i.4) Type D--Such a farm vehicle which does qualify
13 as a motor carrier vehicle and displays a currently valid
14 certificate of inspection may be driven without any
15 restriction as to time but may only be driven on highways
16 between:

17 (A) Parts of one such farm.

18 (B) Such farms located not more than 50 miles
19 apart.

20 (C) Such farm or farms and a place of business
21 located within a radius of 50 miles from such farm or
22 farms for the purpose of buying or selling
23 agricultural commodities or supplies or for repairing
24 or servicing of the farm vehicle or the trailer or
25 semitrailer being towed or hauled by the farm
26 vehicle.

27 (iii) A biennial certificate of exemption shall be
28 required for [such] a farm vehicle exempt under this
29 paragraph.

30 (iv) The owner of the farm vehicle shall maintain

such minimum levels of liability insurance coverage on the vehicle as are required to be maintained under 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 3. Sections 1924(b), 4702(a) and 4703(a) of Title 75 are amended to read:

§ 1924. Farm vehicles.

* * *

(b) Certificate of exemption.--The biennial processing fee for a certificate of exemption issued in lieu of registration of a farm vehicle shall be determined by the type of certificate issued and the gross weight or combination weight or weight rating according to the following table:

Certificate type	Weight in pounds	Fee
Type [I] <u>A</u>	[17,000] <u>10,000</u> or less	\$24
<u>Type B</u>	<u>greater than 10,000 and not</u>	<u>24</u>
	<u>exceeding 17,000</u>	
Type [II] <u>C</u>	greater than 17,000	50
Type [I] <u>D</u>	greater than 17,000	100

§ 4702. Requirement for periodic inspection of vehicles.

(a) Annual safety inspection.--Except as provided in subsection (b), the department shall establish a system of

1 annual safety inspection of vehicles, including emergency
2 vehicles, farm vehicles with a gross weight or gross vehicle
3 weight rating of greater than 17,000 pounds for which a Type [I]
4 D biennial certificate of exemption has been issued and private
5 noncommercial vehicles used to transport students.

6 * * *

7 § 4703. Operation of vehicle without official certificate of
8 inspection.

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

20 * * *

21 Section 4. This act shall take effect in 60 days.