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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1194 Session of  
2015

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INTRODUCED BY ROAE, ENGLISH, METZGAR, MCGINNIS, MAHONEY,  
LAWRENCE, TRUITT AND IRVIN, MAY 12, 2015

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REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 12, 2015

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, in powers of Department of Transportation and local  
3 authorities, further providing for promulgation of rules and  
4 regulations by department.

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

7 Section 1. Section 6103(c) of Title 75 of the Pennsylvania  
8 Consolidated Statutes is amended to read:

9 § 6103. Promulgation of rules and regulations by department.

10 \* \* \*

11 (c) Adoption of Federal statute, regulation, standard or  
12 criteria.--[The department shall be authorized to adopt by  
13 reference any Federal statute, regulation, standard or criteria  
14 or provision thereof relating to vehicles or drivers, including,  
15 but not limited to, minimum driver qualifications, maximum hours  
16 of service, loading, unloading, hazardous materials, operation,  
17 equipment, records and inspection.

18 (1) The department shall be authorized to extend the  
19 coverage of any Federal statute, regulation, standard or

1 criteria adopted under this subsection to vehicles and  
2 drivers operating only in intrastate commerce, except as  
3 follows:

4 (iii) No Federal statute, regulation, standard or  
5 criteria shall be extended to cover farm tractors or  
6 drivers of farm tractors, regardless of whether the farm  
7 tractor is operated as a combination.

8 (iv) No Federal statute, regulation, standard or  
9 criteria shall be extended to cover implements of  
10 husbandry other than farm tractors, farm vehicles or  
11 drivers of these vehicles, regardless of whether the  
12 vehicle is operated as a combination, provided that:

13 (A) the vehicle's or combination's gross weight,  
14 gross vehicle weight rating or gross combination  
15 weight rating does not equal or exceed 26,001 pounds;

16 (B) the vehicle or combination is not carrying  
17 hazardous materials in an amount that requires the  
18 towing or towed vehicle to be placarded under Chapter  
19 83 (relating to hazardous materials transportation);  
20 and

21 (C) the vehicle or combination is not designed  
22 or used to transport 16 or more people, including the  
23 driver.

24 (v) For purposes of this paragraph, the term "farm  
25 tractors" includes tractors designed for off-road  
26 agricultural use, combines, crop pickers, crop and forage  
27 harvesters, threshers, plows, tillers, planters, seeders,  
28 field sprayers, forage cutters, balers and similar  
29 vehicles that are infrequently operated or moved upon  
30 highways and that are used by a farmer in agricultural

1 production.]

2 (1.1) The department shall be authorized to adopt by  
3 reference any Federal statute, regulation, standard or  
4 criteria or provision thereof relating to vehicles or  
5 drivers, including, but not limited to, minimum driver  
6 qualifications, maximum hours of service, loading, unloading,  
7 hazardous materials, operation, equipment, records and  
8 inspection.

9 (1.2) The department shall be authorized to extend the  
10 coverage of any Federal statute, regulation, standard or  
11 criteria adopted under this subsection to vehicles and  
12 drivers operating only in intrastate commerce, except as  
13 follows:

14 (i) No Federal statute, regulation, standard or  
15 criteria shall be extended to cover farm tractors or  
16 drivers of farm tractors, regardless of whether the farm  
17 tractor is operated as a combination.

18 (ii) No Federal statute, regulation, standard or  
19 criteria shall be extended to cover implements of  
20 husbandry other than farm tractors, farm vehicles or  
21 drivers of these vehicles, regardless of whether the  
22 vehicle is operated as a combination, provided that:

23 (A) the vehicle's or combination's gross weight,  
24 gross vehicle weight rating or gross combination  
25 weight rating does not equal or exceed 26,001 pounds;

26 (B) the vehicle or combination is not carrying  
27 hazardous materials in an amount that requires the  
28 towing or towed vehicle to be placarded under Chapter  
29 83 (relating to hazardous materials transportation);  
30 and

1           (C) the vehicle or combination is not designed  
2           or used to transport 16 or more people, including the  
3           driver.

4           (iii) No Federal statute, regulation, standard or  
5           criteria shall be extended to cover shadow vehicles on  
6           streets or highways owned or maintained by local  
7           authorities.

8           (iv) For purposes of this paragraph, the term "farm  
9           tractors" includes tractors designed for off-road  
10           agricultural use, combines, crop pickers, crop and forage  
11           harvesters, threshers, plows, tillers, planters, seeders,  
12           field sprayers, forage cutters, balers and similar  
13           vehicles that are infrequently operated or moved upon  
14           highways and that are used by a farmer in agricultural  
15           production.

16           (2) The regulations promulgated by the department under  
17           paragraph [(1)] (1.2) may be modified, but shall, to the  
18           maximum extent possible, be consistent with safety and  
19           correspond to Federal regulations, standards or criteria.

20           (3) The regulations promulgated by the department under  
21           paragraph [(1)] (1.2) shall not cause the forfeiture or  
22           withholding of Federal funding. If a regulation promulgated  
23           under paragraph [(1)] (1.2) results in a forfeiture or  
24           withholding of Federal funding, the regulation shall be void,  
25           and the department shall publish notice of the voided  
26           regulation in the Pennsylvania Bulletin.

27           \* \* \*

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