THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1783

Session of 1981

INTRODUCED BY JOHNSON, DAVIES, COCHRAN, BOWSER, E. Z. TAYLOR, ALDEN, LEWIS, TELEK, VROON AND PISTELLA, JULY 21, 1981

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES, APRIL 28, 1982

AN ACT

1 2 3 4 5 6 7 8	Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the location of loading zones for school children, FOR CERTAIN VEHICLE INSPECTIONS, FOR SPECIAL SPEED LIMITATIONS ON HAZARDOUS GRADES, FOR VEHICLES WITH OVERSIZE WHEELS AND TIRES, FOR WEIGHTS RELATING TO CERTAIN VEHICLES AND FOR CERTAIN OPTIONAL EQUIPMENT FOR SCHOOL BUSES AND PROVIDING FOR THE PROCESSING FEE IN LIEU OF REGISTRATION FOR CERTAIN PERSONS.	<
9	The General Assembly of the Commonwealth of Pennsylvania	
10	hereby enacts as follows:	
11	Section 1. Section SECTIONS 1535(A), 1901(C)(16) AND 3345(h)	<
12	of Title 75, act of November 25, 1970 (P.L.707, No.230), known	
13	as the Pennsylvania Consolidated Statutes, is ARE amended to	<
14	read:	
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	

1	OFFENSES	SHALL	BE	ASSESSED	POINTS	AS	OF	THE	DATE	OF	VIOLATION I	IN
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2	ACCORDANCE	שדדו דוד	FOLLOWING	SCHEDIILE:
_	ACCONDANCE		T. OTTOM TING	OCHEDULE •

3	SECTION NUMBER	OFFENSE	POINTS
4	1512	VIOLATION OF RESTRICTION ON	
5		DRIVER'S LICENSE.	2
6	1571	VIOLATIONS CONCERNING LICENSES.	3
7	3102	FAILURE TO OBEY POLICEMAN OR	
8		AUTHORIZED PERSON.	2
9	3112(A)(3)(I)	FAILURE TO STOP FOR A RED LIGHT.	3
10	3114(A)(1)	FAILURE TO STOP FOR A FLASHING	
11		RED LIGHT.	3
12	3302	FAILURE TO YIELD HALF OF ROADWAY	
13		TO ONCOMING VEHICLE.	3
14	3303	IMPROPER PASSING.	3
15	3304	OTHER IMPROPER PASSING.	3
16	3305	OTHER IMPROPER PASSING.	3
17	3306(A)(1)	OTHER IMPROPER PASSING.	4
18	3306(A)(2)	OTHER IMPROPER PASSING.	3
19	3306(A)(3)	OTHER IMPROPER PASSING.	3
20	3307	OTHER IMPROPER PASSING.	3
21	3310	FOLLOWING TOO CLOSELY.	3
22	3321	FAILURE TO YIELD TO DRIVER ON TH	3
23		RIGHT AT INTERSECTION.	3
24	3322	FAILURE TO YIELD TO ONCOMING	
25		DRIVER WHEN MAKING LEFT TURN.	3
26	3323(B)	FAILURE TO STOP FOR STOP SIGNS.	3
27	3324	FAILURE TO YIELD WHEN ENTERING OF	?
28		CROSSING ROADWAY BETWEEN INTER-	
29		SECTIONS.	3
30	3332	IMPROPER TURNING AROUND.	3
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1	3341	FAILURE TO STOP FOR FLASHING RED	
2		LIGHTS OR GATE AT RAILROAD	
3		CROSSING.	3
4	3344	FAILURE TO STOP WHEN ENTERING FROM	
5		ALLEY, DRIVEWAY OR BUILDING.	3
6	3345(A)	FAILURE TO STOP FOR SCHOOL BUS	
7		WITH FLASHING RED LIGHTS.	5
8		(AND 30 DAYS SUSPEN	SION)
9	3361	DRIVING TOO FAST FOR CONDITIONS.	2
10	3362	EXCEEDING MAXIMUM SPEED OVER LIMI	T:
11		6-10	2
12		11-15	3
13		16-25	4
14		26-30	5
15		31-OVER	5
16		(AND DEPARTMENTAL H	EARING
17		AND SANCTIONS PROVI	DED
18		UNDER SECTION 1538(D))
19	3365(B)	EXCEEDING SPECIAL SPEED LIMIT	
20			
		IN SCHOOL ZONES.	3
21	[3365(C)	IN SCHOOL ZONES. EXCEEDING SPECIAL SPEED LIMIT	3
21 22	[3365(C)		3
22	[3365(C) 3542(A)	EXCEEDING SPECIAL SPEED LIMIT	
22		EXCEEDING SPECIAL SPEED LIMIT FOR TRUCKS ON DOWNGRADES.	
22 23 24		EXCEEDING SPECIAL SPEED LIMIT FOR TRUCKS ON DOWNGRADES. FAILURE TO YIELD TO PEDESTRIANS IN	3]
22 23 24	3542(A)	EXCEEDING SPECIAL SPEED LIMIT FOR TRUCKS ON DOWNGRADES. FAILURE TO YIELD TO PEDESTRIANS IN CROSSWALK.	3]
2223242526	3542(A)	EXCEEDING SPECIAL SPEED LIMIT FOR TRUCKS ON DOWNGRADES. FAILURE TO YIELD TO PEDESTRIANS IN CROSSWALK. FAILURE TO YIELD TO PEDESTRIAN ON	3]
2223242526	3542(A) 3547	EXCEEDING SPECIAL SPEED LIMIT FOR TRUCKS ON DOWNGRADES. FAILURE TO YIELD TO PEDESTRIANS IN CROSSWALK. FAILURE TO YIELD TO PEDESTRIAN ON SIDEWALK.	3]
222324252627	3542(A) 3547 3549(A)	EXCEEDING SPECIAL SPEED LIMIT FOR TRUCKS ON DOWNGRADES. FAILURE TO YIELD TO PEDESTRIANS IN CROSSWALK. FAILURE TO YIELD TO PEDESTRIAN ON SIDEWALK. FAILURE TO YIELD TO BLIND	3] 2
22232425262728	3542(A) 3547 3549(A)	EXCEEDING SPECIAL SPEED LIMIT FOR TRUCKS ON DOWNGRADES. FAILURE TO YIELD TO PEDESTRIANS IN CROSSWALK. FAILURE TO YIELD TO PEDESTRIAN ON SIDEWALK. FAILURE TO YIELD TO BLIND PEDESTRIAN.	3] 2 3

1 3745 LEAVING SCENE OF ACCIDENT 2 INVOLVING PROPERTY DAMAGE ONLY. 4 3 4902(B)(1) VIOLATION OF PROHIBITION OR 4 RESTRICTION PERTAINING TO A 5 3 DESIGNATED GRADE. 6 7 § 1901. EXEMPTION OF ENTITIES AND VEHICLES FROM FEES. 8 * * * 9 (C) PROCESSING FEE IN LIEU OF REGISTRATION FEE. -- NO 10 REGISTRATION FEE SHALL BE CHARGED FOR VEHICLES REGISTERED BY ANY 11 OF THE FOLLOWING BUT THE DEPARTMENT SHALL CHARGE A FEE OF \$10 TO 12 COVER THE COSTS OF PROCESSING FOR ISSUING OR RENEWING THE 13 **REGISTRATION:** * * * 14 15 (16) ANY PERSON WHO IS RETIRED AND RECEIVING SOCIAL 16 SECURITY OR OTHER PENSION AND WHOSE TOTAL INCOME DOES NOT 17 EXCEED [\$7,500] \$8,999 PER YEAR. UNLESS THE RETIRED PERSON IS 18 PHYSICALLY OR MENTALLY INCAPABLE OF DRIVING THE VEHICLE, THE 19 RETIRED PERSON SHALL BE THE PRINCIPAL DRIVER OF THE VEHICLE 20 BUT MAY FROM TIME TO TIME AUTHORIZE ANOTHER PERSON TO DRIVE 21 THE VEHICLE IN HIS OR HER STEAD. * * * 22 23 § 3345. Meeting or overtaking school bus. * * * 2.4 25 (h) Loading zones for school children.--Every school 26 district transporting school children by school bus shall 27 establish and maintain school bus loading zones at or near all 28 schools to or from which school children are transported and 29 shall establish school bus loading zones along the highways traversed by school buses in accordance with regulations

- 1 promulgated by the department. Loading zones located along
- 2 <u>highways shall be at such sites as provide at least 500 300 feet</u> <---
- 3 of clear vision along the highway in both directions: PROVIDED, <-
- 4 HOWEVER, THAT A SCHOOL DISTRICT MAY LOCATE LOADING ZONES AT
- 5 SITES WITH LESS THAN 500 FEET OF CLEAR VISION ALONG THE HIGHWAY
- 6 IN BOTH DIRECTIONS IF THE DISTRICT DETERMINES IT IS NECESSARY TO
- 7 DO SO TO PROTECT THE HEALTH, SAFETY OR WELFARE OF STUDENTS.
- 8 * * *
- 9 SECTION 2. SECTION 3365(C) OF TITLE 75 IS REPEALED.
- 10 SECTION 3. SECTIONS 4552(B), 4553, 4704(A), (B) AND (D),
- 11 4902(B) AND (G) AND 4921(E) OF TITLE 75 ARE AMENDED OR ADDED TO
- 12 READ:
- 13 § 4552. GENERAL REQUIREMENTS FOR SCHOOL BUSES.
- 14 * * *
- 15 (B) VISUAL SIGNALS.--IN ADDITION TO THE APPLICABLE LIGHTING
- 16 REQUIREMENTS OF CHAPTER 43 (RELATING TO LIGHTING EQUIPMENT)
- 17 EVERY SCHOOL BUS SHALL BE EQUIPPED WITH A UNIFORM FRONT AND REAR
- 18 SYSTEM OF RED AND AMBER VISUAL SIGNALS FOR THE WARNING AND
- 19 CONTROL OF TRAFFIC DURING ROUTE OPERATIONS AS PROVIDED IN
- 20 SECTION 3345 (RELATING TO MEETING OR OVERTAKING SCHOOL BUS) AND
- 21 IN REGULATIONS OF THE DEPARTMENT. THE WARNING SYSTEM MAY INCLUDE
- 22 A SIDE-ARM STOP SIGNAL WHICH WILL BE ACTIVATED INTO POSITION ON
- 23 THE DRIVER SIDE OF THE BUS WHEN THE BUS STOPS TO SERVE AS AN
- 24 ADDITIONAL WARNING TO MOTORISTS TO STOP AND NOT PASS OR A
- 25 CROSSING CONTROL ARM WHICH WHEN ACTUATED EXTENDS FROM THE FRONT
- 26 BUMPER OF THE BUS TO PROTECT STUDENTS DISCHARGED FROM THE BUS.
- 27 § 4553. GENERAL REQUIREMENTS FOR OTHER VEHICLES TRANSPORTING
- 28 SCHOOL CHILDREN.
- 29 (A) BUSES OPERATED BY URBAN MASS TRANSPORTATION SYSTEMS.--
- 30 BUSES, OTHER THAN SCHOOL BUSES, OPERATED BY URBAN MASS

- 1 TRANSPORTATION SYSTEMS FOR THE EXCLUSIVE TRANSPORTATION OF
- 2 SCHOOL CHILDREN SHALL COMPLY WITH FEDERAL SAFETY STANDARDS AND
- 3 SUCH OTHER SAFETY REGULATIONS AS THE PENNSYLVANIA PUBLIC UTILITY
- 4 COMMISSION AND THE DEPARTMENT SHALL PROVIDE FOR SUCH BUSES.
- 5 (B) OTHER VEHICLES.--A MOTOR VEHICLE USED TO TRANSPORT
- 6 CHILDREN TO OR FROM SCHOOL OR IN CONNECTION WITH SCHOOL
- 7 ACTIVITIES, WHICH IS NOT A SCHOOL BUS BECAUSE OF ITS LIMITED
- 8 SEATING CAPACITY, SHALL COMPLY WITH REGULATIONS ESTABLISHED BY
- 9 THE DEPARTMENT FOR SUCH VEHICLES. UNLESS REQUIRED BY FEDERAL LAW
- 10 OR REGULATION, THE REGULATIONS ESTABLISHED BY THE DEPARTMENT
- 11 SHALL NOT REQUIRE VEHICLES WHICH PICK UP AND DISCHARGE SCHOOL
- 12 CHILDREN ONLY AT LOCATIONS OFF THE HIGHWAY TO BE OF ANY
- 13 PARTICULAR COLOR OR TO DISPLAY FLASHING RED AND AMBER LIGHTS.
- 14 HOWEVER, ANY MOTOR VEHICLE USED TO TRANSPORT CHILDREN TO OR FROM
- 15 SCHOOL OR IN CONNECTION WITH SCHOOL ACTIVITIES, WHICH IS NOT A
- 16 SCHOOL BUS BECAUSE OF ITS LIMITED SEATING CAPACITY, MAY DISPLAY
- 17 FLASHING AMBER LIGHTS FOR THE WARNING OF TRAFFIC DURING ROUTE
- 18 OPERATIONS. THE DEPARTMENT SHALL PROMULGATE REGULATIONS
- 19 PROVIDING FOR THE SIZE, TYPE AND USE OF SUCH AMBER LIGHTS, BUT
- 20 <u>IN NO EVENT SHALL THE REGULATIONS REQUIRE THEIR INSTALLATION OR</u>
- 21 <u>USE UNLESS OTHERWISE SPECIFICALLY PROVIDED BY LAW.</u>
- 22 § 4704. INSPECTION BY POLICE OR DEPARTMENT PERSONNEL.
- 23 (A) INSPECTION IN CONJUNCTION WITH VEHICLE WEIGHING. -- ANY
- 24 POLICE OFFICER OR **QUALIFIED** DEPARTMENT EMPLOYEE ENGAGED IN
- 25 WEIGHING VEHICLES AS PROVIDED IN SUBCHAPTER E OF CHAPTER 49
- 26 (RELATING TO MEASURING AND ADJUSTING VEHICLE SIZE AND WEIGHTS)
- 27 OR AS PART OF A SYSTEMATIC VEHICLE INSPECTION PROGRAM IS
- 28 AUTHORIZED TO INSPECT ANY ITEMS OF A VEHICLE'S EQUIPMENT TO
- 29 DETERMINE WHETHER THEY MEET THE STANDARDS ESTABLISHED IN
- 30 DEPARTMENT REGULATIONS.

- 1 (B) INSPECTION BY POLICE OFFICER. -- ANY POLICE OFFICER HAVING
- 2 PROBABLE CAUSE TO BELIEVE THAT ANY VEHICLE OR MASS TRANSIT
- 3 VEHICLE, REGARDLESS OF WHETHER IT IS BEING OPERATED, IS UNSAFE
- 4 OR NOT EQUIPPED AS REQUIRED BY LAW MAY AT ANY TIME SUBMIT A
- 5 WRITTEN NOTICE OF THE CONDITION TO THE DRIVER OF THE VEHICLE OR
- 6 THE MASS TRANSIT VEHICLE OR TO THE OWNER, OR IF NEITHER IS
- 7 PRESENT, TO AN ADULT OCCUPANT OF THE VEHICLE OR THE MASS TRANSIT
- 8 VEHICLE, OR IF THE VEHICLE OR THE MASS TRANSIT VEHICLE IS
- 9 UNOCCUPIED, THE NOTICE SHALL BE ATTACHED TO THE VEHICLE OR THE
- 10 MASS TRANSIT VEHICLE IN A CONSPICUOUS PLACE.
- 11 (1) IF AN ITEM OF EQUIPMENT IS BROKEN OR MISSING, THE
- 12 NOTICE SHALL SPECIFY THE PARTICULARS OF THE CONDITION AND
- 13 REQUIRE THAT THE EQUIPMENT BE ADJUSTED OR REPAIRED. WITHIN
- 14 FIVE DAYS EVIDENCE MUST BE SUBMITTED TO THE POLICE THAT THE
- 15 REQUIREMENTS FOR REPAIR HAVE BEEN SATISFIED.
- 16 (2) IF THE POLICE OFFICER HAS PROBABLE CAUSE TO BELIEVE
- 17 THAT A VEHICLE OR MASS TRANSIT VEHICLE IS UNSAFE OR NOT IN
- 18 PROPER REPAIR, HE MAY REQUIRE IN THE WRITTEN NOTICE THAT THE
- 19 [CAR] VEHICLE OR MASS TRANSIT VEHICLE BE INSPECTED. THE OWNER
- OR DRIVER SHALL SUBMIT TO THE POLICE WITHIN FIVE DAYS OF THE
- 21 DATE OF NOTIFICATION CERTIFICATION FROM AN OFFICIAL
- 22 INSPECTION STATION THAT THE VEHICLE OR THE MASS TRANSIT
- 23 VEHICLE HAS BEEN RESTORED TO SAFE OPERATING CONDITION IN
- 24 RELATION TO THE PARTICULARS SPECIFIED ON THE NOTICE.
- 25 (3) AFTER THE EXPIRATION OF THE FIVE-DAY PERIOD
- 26 SPECIFIED IN PARAGRAPHS (1) AND (2), THE VEHICLE SHALL NOT BE
- 27 OPERATED UPON THE HIGHWAYS OF THIS COMMONWEALTH AND A MASS
- 28 TRANSIT VEHICLE SHALL NOT BE OPERATED UNTIL THE OWNER OR
- 29 DRIVER HAS SUBMITTED TO THE POLICE EVIDENCE OF COMPLIANCE
- 30 WITH THE REQUIREMENTS OF PARAGRAPH (1) OR (2), WHICHEVER IS

- 1 APPLICABLE.
- 2 * * *
- 3 (D) PENALTY.--ANY PERSON VIOLATING THE PROVISIONS OF
- 4 SUBSECTION (B)(3) OR THE PROVISIONS OF A NOTICE GIVEN UNDER
- 5 SUBSECTION (C) IS GUILTY OF A SUMMARY OFFENSE AND SHALL, UPON
- 6 CONVICTION, BE SENTENCED TO PAY A FINE OF \$300.
- 7 § 4902. RESTRICTIONS ON USE OF HIGHWAYS AND BRIDGES.
- 8 * * *
- 9 (B) RESTRICTIONS BASED ON TRAFFIC CONDITIONS.--THE
- 10 COMMONWEALTH AND LOCAL AUTHORITIES WITH RESPECT TO HIGHWAYS AND
- 11 BRIDGES UNDER THEIR JURISDICTIONS MAY PROHIBIT THE OPERATION OF
- 12 VEHICLES AND MAY IMPOSE RESTRICTIONS AS TO THE WEIGHT OR SIZE OF
- 13 VEHICLES OPERATED UPON A HIGHWAY OR BRIDGE WHENEVER THEY
- 14 DETERMINE THAT HAZARDOUS TRAFFIC CONDITIONS OR OTHER SAFETY
- 15 FACTORS REQUIRE SUCH A PROHIBITION OR RESTRICTION.
- (1) VEHICLES AND COMBINATIONS OF SPECIFIED SIZES,
- 17 <u>WEIGHTS, TYPES OR CLASSES MAY BE PROHIBITED FROM DESIGNATED</u>
- 18 GRADES, MAY BE REQUIRED TO STOP, REDUCE GEAR, OR BOTH, BEFORE
- 19 PROCEEDING DOWN THE GRADES AND MAY BE LIMITED TO REDUCED
- 20 SPEEDS ON THE GRADES.
- 21 (2) SCHOOL BUSES, EMERGENCY VEHICLES AND VEHICLES MAKING
- 22 LOCAL DELIVERIES OR PICKUPS MAY BE EXEMPTED FROM RESTRICTIONS
- 23 ON THE USE OF HIGHWAYS IMPOSED UNDER THIS SUBSECTION.
- 24 * * *
- 25 (G) PENALTY.--
- 26 (1) ANY PERSON OPERATING A VEHICLE OR COMBINATION UPON A
- 27 HIGHWAY OR BRIDGE IN VIOLATION OF A PROHIBITION OR
- 28 RESTRICTION IMPOSED UNDER SUBSECTION (A) IS GUILTY OF
- 29 <u>VIOLATING SUBSECTION (A)</u>, A SUMMARY OFFENSE, AND SHALL, UPON
- 30 CONVICTION, BE SENTENCED TO PAY A FINE OF \$75, EXCEPT THAT

- 1 ANY PERSON CONVICTED OF OPERATING A VEHICLE WITH A GROSS
- 2 WEIGHT IN EXCESS OF A POSTED WEIGHT SHALL, UPON CONVICTION,
- 3 BE SENTENCED TO PAY A FINE OF \$150 PLUS \$150 FOR EACH 500
- 4 POUNDS, OR PART THEREOF, IN EXCESS OF 3,000 POUNDS OVER THE
- 5 MAXIMUM ALLOWABLE WEIGHT.
- 6 (2) ANY PERSON OPERATING A VEHICLE OR COMBINATION IN
- 7 VIOLATION OF A PROHIBITION OR RESTRICTION IMPOSED UNDER
- 8 SUBSECTION (B) IS GUILTY OF VIOLATING SUBSECTION (B), A
- 9 SUMMARY OFFENSE, AND SHALL, UPON CONVICTION, BE SENTENCED TO
- 10 PAY A FINE OF NOT LESS THAN \$25 AND NOT MORE THAN \$100_
- 11 EXCEPT THAT FOR A VIOLATION OF A PROHIBITION OR RESTRICTION
- 12 PERTAINING TO A GRADE DESIGNATED UNDER AUTHORITY OF
- SUBSECTION (B)(1), THE FINE SHALL BE \$300.
- 14 § 4921. WIDTH OF VEHICLES.
- 15 * * *
- 16 (E) MIRRORS, [AND] SUNSHADES AND OTHER SAFETY DEVICES.--
- 17 MIRRORS AND SUNSHADES MAY EXTEND BEYOND THE MAXIMUM WIDTH OF A
- 18 VEHICLE AS FOLLOWS:
- 19 (1) MIRRORS MAY EXTEND ON EACH SIDE A MAXIMUM OF SIX
- 20 INCHES BEYOND THE WIDTH OF THE VEHICLE, TRAILER OR LOAD,
- 21 WHICHEVER IS GREATER.
- 22 (2) SUNSHADES MAY EXTEND A MAXIMUM OF SIX INCHES ON EACH
- 23 SIDE OF THE VEHICLE.
- 24 (3) SIDE-ARM STOP SIGNALS OR CROSSING CONTROL ARMS ON
- 25 SCHOOL BUSES MAY EXTEND BEYOND THE MAXIMUM WIDTH AND LENGTH
- 26 <u>OF SCHOOL BUSES A DISTANCE WHICH SHALL BE PRESCRIBED BY</u>
- 27 DEPARTMENT REGULATIONS.
- 28 * * *
- 29 SECTION 4. SECTIONS 4943(A) AND (B) AND 4945(B) OF TITLE 75
- 30 ARE REPEALED.

- 1 SECTION 5. SECTION 4969 OF TITLE 75 IS AMENDED TO READ:
- 2 § 4969. PERMIT FOR MOVEMENT OF VEHICLES WITH OVERSIZE WHEELS
- 3 AND TIRES.
- 4 AN ANNUAL PERMIT MAY BE ISSUED FOR THE OPERATION OR MOVEMENT
- 5 BETWEEN SUNRISE AND SUNSET OF A VEHICLE CONTAINING WHEELS AND
- 6 TIRES EXTENDING BEYOND THE MAXIMUM WIDTH ALLOWED IN SECTION
- 7 4921(A) (RELATING TO WIDTH OF VEHICLES) IF THE DEPARTMENT
- 8 DETERMINES THAT SUCH WHEELS AND TIRES ARE ESSENTIAL TO THE
- 9 FUNCTION FOR WHICH THE VEHICLE IS DESIGNED OR ADAPTED AND USED.
- 10 THE OVERALL WIDTH OF ANY VEHICLE PERMITTED UNDER THIS SECTION,
- 11 INCLUDING WHEELS AND TIRES, SHALL NOT EXCEED [TEN] 11 FEET.
- 12 SECTION 6. SECTION 4981(C) OF TITLE 75 IS REPEALED.
- 13 SECTION 7. SECTIONS 4981(D) AND 4982(A) AND (C) OF TITLE 75
- 14 ARE AMENDED TO READ:
- 15 § 4981. WEIGHING AND MEASUREMENT OF VEHICLES.
- 16 * * *
- 17 (D) REWEIGHING AT REQUEST OF DRIVER OR OWNER.--WHENEVER
- 18 SCALES OPERATED BY OTHER THAN THE DEPARTMENT INDICATE THAT A
- 19 VEHICLE[,] OR 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 SCALES WHICH HAVE BEEN CERTIFIED BY THE
- 22 DEPARTMENT OF AGRICULTURE. THE LOWER READING OF THE TWO SCALES
- 23 SHALL DETERMINE WHETHER CHARGES SHALL BE FILED UNDER THIS
- 24 SECTION.
- 25 * * *
- 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[,] OR TIRE[, AXLE OR GROUP OF AXLES]
- 29 OF A VEHICLE OR COMBINATION EXCEEDS THE MAXIMUM ALLOWED, THE
- 30 DRIVER SHALL REDUCE OR READJUST THE LOAD SO THAT THE GROSS

- WEIGHT AND THE WEIGHT UPON EACH WHEEL[,] OR TIRE[, AXLE OR GROUP
- 2 OF AXLES] WILL NOT EXCEED THE MAXIMUM WEIGHTS PERMITTED UNDER
- 3 THIS CHAPTER.
- * * * 4
- 5 (C) LOAD ADJUSTMENT TO AVOID PROSECUTION. -- IF THE GROSS
- WEIGHT OF THE VEHICLE OR COMBINATION DOES NOT EXCEED THE MAXIMUM 6
- ALLOWABLE GROSS WEIGHT [AND THE WEIGHT UPON ANY AXLE OR GROUP OF 7
- 8 AXLES IS NOT MORE THAN 3% IN EXCESS OF THE MAXIMUM ALLOWABLE
- 9 AXLE WEIGHT], THE OPERATOR SHALL BE ALLOWED FOUR HOURS TO ADJUST
- 10 THE POSITION OF THE LOAD SO THAT THE WEIGHT UPON ALL WHEELS[,]
- 11 OR TIRES[, AXLES AND GROUPS OF AXLES] DOES NOT EXCEED THE
- 12 MAXIMUM ALLOWABLE WEIGHTS. IF THE LOAD IS SO REARRANGED NO
- 13 ARREST SHALL BE MADE OR PROSECUTION BROUGHT FOR VIOLATION OF
- 14 SUBCHAPTER C (RELATING TO MAXIMUM WEIGHTS OF VEHICLES).
- * * * 15
- Section 2. This 8. THE AMENDMENTS TO OR REPEALS OF SECTIONS <---16
- 17 1535(A), 3365(C), 4704(A), (B) AND (D), AND 4902(B) AND (G) OF
- 18 TITLE 75 SHALL TAKE EFFECT IN 60 DAYS. THE REMAINDER OF THIS act
- 19 shall take effect in 90 days.