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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 489      Session of  
2005

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INTRODUCED BY R. STEVENSON, ARMSTRONG, BAKER, BALDWIN, BARRAR,  
BEBKO-JONES, BELARDI, BENNINGHOFF, BOYD, CALTAGIRONE,  
CAPPELLI, CAUSER, CRAHALLA, CREIGHTON, DALLY, DeWEESE, ELLIS,  
J. EVANS, FAIRCHILD, FICHTER, FLICK, GEIST, GINGRICH, GOOD,  
GOODMAN, GRUCELA, HARHAI, HARHART, HERMAN, W. KELLER,  
KILLION, LEDERER, LEH, MANN, MARKOSEK, MARSICO, METCALFE,  
NAILOR, PAYNE, PHILLIPS, PICKETT, PYLE, READSHAW, SAINATO,  
SCHRODER, B. SMITH, STABACK, SURRA, E. Z. TAYLOR, THOMAS,  
TIGUE, WATSON, WILT, WOJNAROSKI, ZUG, SHANER, FABRIZIO,  
O'NEILL, YOUNGBLOOD, McILHINNEY, TURZAI, HARPER AND  
DENLINGER, FEBRUARY 14, 2005

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SENATOR THOMPSON, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, JUNE 30, 2005

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, FURTHER DEFINING "EMERGENCY VEHICLE"; FURTHER  
3 PROVIDING FOR APPLICATION FOR CERTIFICATE OF TITLE, FOR  
4 TRANSFER OF OWNERSHIP OF VEHICLE AND FOR APPLICATION FOR  
5 CERTIFICATE OF TITLE BY AGENT; providing for certain veterans  
6 plates; ~~and further providing for permit for movement of~~  
7 ~~containerized cargo.~~ SUSPENSION OF REGISTRATION OF UNAPPROVED  
8 CARRIERS AND FOR SURRENDER OF REGISTRATION PLATES AND CARDS  
9 UPON SUSPENSION OF REVOCATION; PROVIDING FOR SUSPENSION OF  
10 REGISTRATION PLATES UPON SIXTH UNPAID PARKING VIOLATION IN  
11 CITIES OF THE FIRST CLASS AND FOR MOTOR VEHICLE LIABILITY  
12 INSURANCE FOR MOTORCYCLE MARSHALS; AND FURTHER PROVIDING FOR  
13 REINSTATEMENT OF OPERATING PRIVILEGE OR VEHICLE REGISTRATION,  
14 FOR AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS IN FIRST CLASS  
15 CITIES, FOR OPERATION OF VEHICLE WITHOUT OFFICIAL CERTIFICATE  
16 OF INSPECTION, FOR CONDITIONS OF PERMITS AND SECURITY FOR  
17 DAMAGES, FOR PERMIT FOR MOVEMENT OF CONTAINERIZED CARGO, FOR  
18 IMPOUNDMENT OF CERTAIN VEHICLES AND COMBINATIONS FOR  
19 NONPAYMENT OF FINES, FOR IMMOBILIZATION, TOWING AND STORAGE  
20 OF VEHICLE FOR DRIVING WITHOUT OPERATING PRIVILEGE OR  
21 REGISTRATION, FOR DISPOSITION OF IMPOUNDED VEHICLES,  
22 COMBINATIONS AND LOADS AND FOR PROHIBITIONS ON ATV OPERATION

1 BY PERSONS UNDER AGE 16.

2 The General Assembly of the Commonwealth of Pennsylvania  
3 hereby enacts as follows:

4 ~~Section 1. Title 75 of the Pennsylvania Consolidated~~ <—  
5 ~~Statutes is amended by adding sections to read:~~

6 ~~SECTION 1. SECTIONS 1103.1(G.1), 1111(A) AND 1119(A) AND (B)~~ <—  
7 ~~OF TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES ARE~~  
8 ~~AMENDED TO READ:~~

9 SECTION 1. THE DEFINITION OF "EMERGENCY VEHICLE" IN SECTION <—  
10 102 OF TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES IS  
11 AMENDED TO READ:

12 § 102. DEFINITIONS.

13 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT  
14 PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC  
15 PROVISIONS OF THIS TITLE, THE FOLLOWING WORDS AND PHRASES WHEN  
16 USED IN THIS TITLE SHALL HAVE, UNLESS THE CONTEXT CLEARLY  
17 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

18 \* \* \*

19 "EMERGENCY VEHICLE." A FIRE DEPARTMENT VEHICLE, POLICE  
20 VEHICLE, SHERIFF VEHICLE, AMBULANCE, BLOOD DELIVERY VEHICLE,  
21 HUMAN ORGAN DELIVERY VEHICLE, HAZARDOUS MATERIAL RESPONSE  
22 VEHICLE, ARMED FORCES EMERGENCY VEHICLE, ONE VEHICLE OPERATED BY  
23 A CORONER OR CHIEF COUNTY MEDICAL EXAMINER AND ONE VEHICLE  
24 OPERATED BY A CHIEF DEPUTY CORONER OR DEPUTY CHIEF COUNTY  
25 MEDICAL EXAMINER USED FOR ANSWERING EMERGENCY CALLS, ANY VEHICLE  
26 OWNED AND OPERATED BY THE PHILADELPHIA PARKING AUTHORITY,  
27 ESTABLISHED IN ACCORDANCE WITH 53 PA.C.S. CH. 55 (RELATING TO  
28 PARKING AUTHORITIES) AND USED IN THE ENFORCEMENT OF 53 PA.C.S.  
29 CH. 57 (RELATING TO TAXICABS AND LIMOUSINES IN FIRST CLASS  
30 CITIES), OR ANY OTHER VEHICLE DESIGNATED BY THE STATE POLICE

1 UNDER SECTION 6106 (RELATING TO DESIGNATION OF EMERGENCY  
2 VEHICLES BY PENNSYLVANIA STATE POLICE), OR A PRIVATELY OWNED  
3 VEHICLE USED IN ANSWERING AN EMERGENCY CALL WHEN USED BY ANY OF  
4 THE FOLLOWING:

5 (1) A POLICE CHIEF AND ASSISTANT CHIEF.

6 (2) A FIRE CHIEF, ASSISTANT CHIEF AND, WHEN A FIRE  
7 COMPANY HAS THREE OR MORE FIRE VEHICLES, A SECOND OR THIRD  
8 ASSISTANT CHIEF.

9 (3) A FIRE POLICE CAPTAIN AND FIRE POLICE LIEUTENANT.

10 (4) AN AMBULANCE CORPS COMMANDER AND ASSISTANT  
11 COMMANDER.

12 (5) A RIVER RESCUE COMMANDER AND ASSISTANT COMMANDER.

13 (6) A COUNTY EMERGENCY MANAGEMENT COORDINATOR.

14 (7) A FIRE MARSHAL.

15 (8) A RESCUE SERVICE CHIEF AND ASSISTANT CHIEF.

16 \* \* \*

17 SECTION 2. SECTIONS 1103.1(G.1), 1111(A) AND 1119(A) AND (B)  
18 OF TITLE 75 ARE AMENDED TO READ:

19 § 1103.1. APPLICATION FOR CERTIFICATE OF TITLE.

20 \* \* \*

21 (G.1) VERIFICATION.--IN LIEU OF NOTARIZATION OF ANY DOCUMENT  
22 REQUIRED TO BE SUBMITTED WITH THE APPLICATION FOR CERTIFICATE OF  
23 TITLE, THE DEPARTMENT SHALL ACCEPT THE VERIFICATION OF A  
24 PERSON'S SIGNATURE BY A WHOLESALE VEHICLE AUCTION LICENSED BY  
25 THE STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND  
26 SALESPERSONS OR ITS EMPLOYEE, OR AN ISSUING AGENT[, ] WHO IS  
27 LICENSED AS A VEHICLE DEALER BY THE STATE BOARD OF VEHICLE  
28 MANUFACTURERS, DEALERS AND SALESPERSONS, OR ITS EMPLOYEE. THE  
29 [ISSUING AGENT'S] NAME AND IDENTIFICATION NUMBER AND THE  
30 SIGNATURE OF THE ISSUING AGENT OR [ITS] WHOLESALE VEHICLE

1 AUCTION OR RESPECTIVE EMPLOYEE SHALL BE WRITTEN IN THE SPACE  
2 RESERVED FOR A NOTARIZATION OR VERIFICATION. IF AN ISSUING AGENT  
3 OR [ITS] WHOLESALE VEHICLE AUCTION OR RESPECTIVE EMPLOYEE  
4 FALSELY VERIFIES A PERSON'S SIGNATURE, THE DEPARTMENT SHALL  
5 SUSPEND THE ISSUING AGENT'S OR WHOLESALE VEHICLE AUCTION'S  
6 AUTHORITY TO ISSUE TEMPORARY REGISTRATION PLATES AND CARDS FOR  
7 NOT LESS THAN 30 DAYS. WHEN VERIFICATION IS USED IN LIEU OF  
8 NOTARIZATION, THE ISSUING AGENT OR ITS EMPLOYEE SHALL VERIFY A  
9 PERSON'S IDENTITY BY USING AT LEAST ONE FORM OF GOVERNMENT-  
10 ISSUED PHOTO IDENTIFICATION. A COPY OF THE FORM OF  
11 IDENTIFICATION USED SHALL BE MAINTAINED BY THE ISSUING AGENT FOR  
12 A PERIOD OF THREE YEARS FROM THE DATE OF THE VERIFICATION.

13 \* \* \*

14 § 1111. TRANSFER OF OWNERSHIP OF VEHICLE.

15 (A) DUTY OF TRANSFEROR.--IN THE EVENT OF THE SALE OR  
16 TRANSFER OF THE OWNERSHIP OF A VEHICLE WITHIN THIS COMMONWEALTH,  
17 THE OWNER SHALL EXECUTE AN ASSIGNMENT AND WARRANTY OF TITLE TO  
18 THE TRANSFEREE IN THE SPACE PROVIDED ON THE CERTIFICATE OR AS  
19 THE DEPARTMENT PRESCRIBES, SWORN TO BEFORE A NOTARY PUBLIC OR  
20 OTHER OFFICER EMPOWERED TO ADMINISTER OATHS OR VERIFIED BY A  
21 WHOLESALE VEHICLE AUCTION LICENSED BY THE STATE BOARD OF VEHICLE  
22 MANUFACTURERS, DEALERS AND SALESPERSONS, OR ITS EMPLOYEE, OR AN  
23 ISSUING AGENT[, ] WHO IS LICENSED AS A VEHICLE DEALER BY THE  
24 STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS,  
25 OR ITS EMPLOYEE, AND DELIVER THE CERTIFICATE TO THE TRANSFEREE  
26 AT THE TIME OF THE DELIVERY OF THE VEHICLE.

27 \* \* \*

28 § 1119. APPLICATION FOR CERTIFICATE OF TITLE BY AGENT.

29 (A) AUTHORIZATION TO MAKE APPLICATION.--

30 (1) EXCEPT AS PROVIDED IN PARAGRAPH (2), NO PERSON SHALL

1 MAKE APPLICATION FOR A CERTIFICATE OF TITLE WHEN ACTING FOR  
2 ANOTHER PERSON UNLESS AUTHORIZATION TO MAKE THE APPLICATION  
3 IS IN EFFECT AND IS VERIFIED BY OATH OR AFFIRMATION OF THE  
4 OTHER PERSON, MADE NOT MORE THAN 90 DAYS BEFORE THE  
5 APPLICATION IS RECEIVED BY THE DEPARTMENT.

6 (2) THE 90-DAY PROVISION CONTAINED IN PARAGRAPH (1)  
7 SHALL NOT APPLY TO:

8 (I) FLEET OWNERS WHO ARE LESSEES OF VEHICLES.

9 (II) A WHOLESALE VEHICLE AUCTION LICENSED PURSUANT  
10 TO THE ACT OF DECEMBER 22, 1983 (P.L.306, NO.84), KNOWN  
11 AS THE BOARD OF VEHICLES ACT.

12 (III) BLANKET POWERS OF ATTORNEY ISSUED FOR GENERAL  
13 PURPOSES NOT LIMITED TO THE SALE, PURCHASE OR TRANSFER OF  
14 VEHICLES.

15 (B) CERTIFICATE NOT TO BE ASSIGNED IN BLANK.--NO PERSON  
16 SHALL MAKE APPLICATION FOR, OR ASSIGN OR PHYSICALLY POSSESS, A  
17 CERTIFICATE OF TITLE, OR DIRECT OR ALLOW ANOTHER PERSON IN HIS  
18 EMPLOY OR CONTROL TO MAKE APPLICATION FOR, OR ASSIGN OR  
19 PHYSICALLY POSSESS, A CERTIFICATE OF TITLE, UNLESS THE NAME OF  
20 THE TRANSFEREE IS PLACED ON THE ASSIGNMENT OF CERTIFICATE OF  
21 TITLE SIMULTANEOUSLY WITH THE NAME OF THE TRANSFEROR AND DULY  
22 NOTARIZED. WHOLESALE VEHICLE AUCTIONS AND VEHICLE DEALERS  
23 LICENSED PURSUANT TO THE BOARD OF VEHICLES ACT ARE EXEMPT FROM  
24 THE LIMITATIONS OF THIS SUBSECTION WITH RESPECT TO CERTIFICATES  
25 OF TITLE FOR VEHICLES THAT ARE ENTRUSTED TO THE LICENSED  
26 WHOLESALE VEHICLE AUCTION FOR SALE OR TRANSFER.

27 \* \* \*

28 SECTION 2 3. TITLE 75 IS AMENDED BY ADDING SECTIONS TO READ: <—  
29 § 1362. Operation Iraqi Freedom veterans plate.

30 Upon application of any person who is a veteran of the

liberation or occupation of Iraq, accompanied by a fee of \$20,  
which shall be in addition to the annual registration fee and by  
documentation as the department shall require, the department  
shall issue to the person a special registration plate  
designating the vehicle so licensed as belonging to a person who  
is a veteran of Operation Iraqi Freedom.

§ 1363. Operation Enduring Freedom veterans plate.

Upon application of any person who is a veteran of the  
liberation or occupation of Afghanistan, accompanied by a fee of  
\$20, which shall be in addition to the annual registration fee  
and by documentation as the department shall require, the  
department shall issue to the person a special registration  
plate designating the vehicle so licensed as belonging to a  
person who is a veteran of Operation Enduring Freedom.

§ 1364. Special plates for veterans.

Upon application of any person who is an honorably discharged  
veteran of the armed forces of the United States, or a reserve  
component of the armed forces as defined in 51 Pa.C.S. § 7301  
(relating to definitions), accompanied by a fee of \$20 which  
shall be in addition to the annual registration fee and by such  
documentation as the department shall require, the department  
shall issue to the person a special registration plate  
designating the vehicle as belonging to a person who is a  
veteran of the armed forces of the United States.

~~Section 2-3. Section 4974 of Title 75 is amended to read:~~ <—

SECTION 4. SECTIONS 1375(A) AND 1376(B.1) OF TITLE 75 ARE <—  
AMENDED TO READ:

§ 1375. SUSPENSION OF REGISTRATION OF UNAPPROVED CARRIERS.

(A) GENERAL RULE.--THE DEPARTMENT SHALL SUSPEND THE  
REGISTRATION OF ANY VEHICLE UPON THE PRESENTATION TO THE

1 DEPARTMENT OF A CERTIFICATE OF THE PENNSYLVANIA PUBLIC UTILITY  
2 COMMISSION OR NOTICE OF THE PHILADELPHIA PARKING AUTHORITY  
3 SETTING FORTH, AFTER HEARING AND INVESTIGATION, THAT THE  
4 COMMISSION OR THE PHILADELPHIA PARKING AUTHORITY HAS FOUND AND  
5 DETERMINED THAT THE VEHICLE HAS BEEN OPERATED AS A COMMON  
6 CARRIER OR CONTRACT CARRIER BY MOTOR VEHICLE WITHIN THIS  
7 COMMONWEALTH WITHOUT THE APPROVAL OF THE COMMISSION OR THE  
8 PHILADELPHIA PARKING AUTHORITY AND EITHER THAT NO APPEAL WAS  
9 FILED FROM SUCH DETERMINATION IN THE MANNER AND WITHIN THE TIME  
10 PROVIDED BY LAW OR THAT THE DETERMINATION WAS AFFIRMED ON  
11 APPEAL.

12 \* \* \*

13 § 1376. SURRENDER OF REGISTRATION PLATES AND CARDS UPON  
14 SUSPENSION OR REVOCATION.

15 \* \* \*

16 (B.1) IMMEDIATE SEIZURE OF REGISTRATION PLATES AND CARDS.--  
17 THE DEPARTMENT MAY DELEGATE AUTHORITY TO THE PERSONS DESCRIBED  
18 IN THIS SECTION TO IMMEDIATELY SEIZE REGISTRATION PLATES AND  
19 CARDS UPON IMPOSITION OF THE FOLLOWING:

20 (1) A SUSPENSION IMPOSED PURSUANT TO SECTION 1374(D)(3)  
21 OR (4) (RELATING TO SUSPENSION OR REVOCATION OF VEHICLE  
22 BUSINESS REGISTRATION PLATES) UNTIL ALL FEES, TAXES AND  
23 PENALTIES HAVE BEEN PAID;

24 (2) A SUSPENSION OR REVOCATION IMPOSED PURSUANT TO  
25 SECTION 1373(B)(3) (RELATING TO SUSPENSION OF REGISTRATION)  
26 OR 1374(G); [OR]

27 (3) A SUSPENSION OR REVOCATION IS REINSTATED AFTER  
28 DETERMINATION OF A MATTER AS PROVIDED IN SECTION 1377  
29 (RELATING TO JUDICIAL REVIEW)[.]; OR

30 (4) A SUSPENSION IMPOSED PURSUANT TO SECTION 1379

1     (RELATING TO SUSPENSION OF REGISTRATION UPON SIXTH UNPAID  
2     PARKING VIOLATION IN CITIES OF THE FIRST CLASS) UNTIL ALL  
3     FINES, PENALTIES AND COSTS HAVE BEEN PAID.

4     \* \* \*

5     SECTION 5. TITLE 75 IS AMENDED BY ADDING SECTIONS TO READ:  
6     § 1379. SUSPENSION OF REGISTRATION UPON SIXTH UNPAID PARKING  
7     VIOLATION IN CITIES OF THE FIRST CLASS.

8     (A) SUSPENSION OF REGISTRATION.--THE DEPARTMENT SHALL  
9     SUSPEND THE REGISTRATION OF A VEHICLE UPON THE NOTIFICATION FROM  
10    THE PARKING AUTHORITY THAT THE OWNER OR REGISTRANT OF THE  
11    VEHICLE HAS FAILED TO RESPOND, FAILED TO PAY OR DEFAULTED IN THE  
12    PAYMENT OF SIX OR MORE TICKETS OR CITATIONS ISSUED FOR PARKING  
13    VIOLATIONS IN CITIES OF THE FIRST CLASS.

14    (B) NOTICE TO THE DEPARTMENT.--THE PARKING AUTHORITY SHALL  
15    NOTIFY THE DEPARTMENT ELECTRONICALLY IN A FORMAT PRESCRIBED BY  
16    THE DEPARTMENT WHENEVER AN OWNER OR REGISTRANT FAILS TO RESPOND,  
17    FAILS TO PAY OR DEFAULTS IN PAYMENT OF SIX OR MORE TICKETS OR  
18    CITATIONS ISSUED FOR PARKING VIOLATIONS. WHEN A NOTICE HAS BEEN  
19    PROVIDED UNDER THIS SUBSECTION AND ALL OF THE TICKETS AND  
20    CITATIONS ARE SUBSEQUENTLY PAID, DISMISSED, REVERSED ON APPEAL  
21    OR CANCELED, THE PARKING AUTHORITY SHALL NOTIFY THE DEPARTMENT  
22    ELECTRONICALLY IN A FORMAT PRESCRIBED BY THE DEPARTMENT OF THE  
23    DISPOSITION OF THE TICKETS AND SHALL PROVIDE THE OWNER OR  
24    REGISTRANT WITH A RELEASE FROM THE SUSPENSION.

25    (C) PERIOD OF SUSPENSION.--A SUSPENSION UNDER SUBSECTION (A)  
26    SHALL CONTINUE UNTIL THE DEPARTMENT RECEIVES NOTICE FROM THE  
27    PARKING AUTHORITY THAT ALL OF THE TICKETS AND CITATIONS ARE  
28    PAID, DISMISSED, REVERSED ON APPEAL OR CANCELED OR THE DEFENDANT  
29    ENTERS INTO AN AGREEMENT TO MAKE INSTALLMENT PAYMENTS FOR THE  
30    FINES AND PENALTIES IMPOSED PROVIDED THAT THE SUSPENSION MAY BE



1 REIMPOSED BY THE DEPARTMENT IF THE DEFENDANT FAILS TO MAKE  
2 REGULAR INSTALLMENT PAYMENTS AND PAYS THE FEE PRESCRIBED IN  
3 SECTION 1960 (RELATING TO THE REINSTATEMENT OF OPERATING  
4 PRIVILEGE OR VEHICLE REGISTRATION).

5 (D) ADDITIONAL SUSPENSION.--THE DEPARTMENT SHALL IMPOSE AN  
6 ADDITIONAL PERIOD OF REGISTRATION SUSPENSION IF, SUBSEQUENT TO  
7 THE ISSUANCE OF A SUSPENSION UNDER SUBSECTION (A) BUT PRIOR TO  
8 THE RESTORATION OF THE REGISTRATION, THE DEPARTMENT IS NOTIFIED  
9 BY THE PARKING AUTHORITY THAT THE OWNER OR REGISTRANT HAS FAILED  
10 TO RESPOND, FAILED TO PAY OR DEFAULTED IN THE PAYMENT OF AN  
11 ADDITIONAL TICKET OR CITATION ISSUED FOR A PARKING VIOLATION.

12 (E) THREE-YEAR LIMITATION.--NO SUSPENSION MAY BE IMPOSED  
13 BASED UPON A PARKING VIOLATION MORE THAN THREE YEARS AFTER THE  
14 COMMISSION OF THE VIOLATION.

15 (F) DEFINITION.--AS USED IN THIS SECTION, THE TERM "PARKING  
16 AUTHORITY" MEANS A PARKING AUTHORITY IN A CITY OF THE FIRST  
17 CLASS KNOWN AS THE PHILADELPHIA PARKING AUTHORITY.

18 § 1791.2. MOTORCYCLE MARSHALS.

19 A MOTORCYCLE DRIVER WHEN OPERATING A MOTORCYCLE TO GUIDE,  
20 USHER OR OTHERWISE ENSURE THE SAFETY OF PARTICIPANTS IN A  
21 BICYCLE RACE IS NEITHER COMPETING NOR PARTICIPATING IN THE  
22 BICYCLE RACE FOR PURPOSES OF THIS CHAPTER.

23 SECTION 6. SECTIONS 1960, 3116(D) AND (J) AND 4703(B) OF  
24 TITLE 75 ARE AMENDED TO READ:

25 § 1960. REINSTATEMENT OF OPERATING PRIVILEGE OR VEHICLE  
26 REGISTRATION.

27 THE DEPARTMENT SHALL CHARGE A FEE OF \$25 OR, IF SECTION 1379  
28 (RELATING TO SUSPENSION OF REGISTRATION UPON SIXTH UNPAID  
29 PARKING VIOLATION IN CITIES OF THE FIRST CLASS) OR 1786(D)  
30 (RELATING TO REQUIRED FINANCIAL RESPONSIBILITY) APPLIES, A FEE

1 OF \$50 TO RESTORE A PERSON'S OPERATING PRIVILEGE OR THE  
2 REGISTRATION OF A VEHICLE FOLLOWING A SUSPENSION OR REVOCATION.  
3 § 3116. AUTOMATED RED LIGHT ENFORCEMENT SYSTEMS IN FIRST CLASS  
4 CITIES.

5 \* \* \*

6 (D) PENALTY.--

7 (1) THE PENALTY FOR A VIOLATION UNDER SUBSECTION (A)  
8 SHALL BE A FINE OF \$100 UNLESS A LESSER AMOUNT IS SET BY  
9 ORDINANCE.

10 (2) A FINE IS NOT AUTHORIZED FOR A VIOLATION OF THIS  
11 SECTION IF ANY OF THE FOLLOWING APPLY:

12 (I) THE INTERSECTION IS BEING MANUALLY CONTROLLED.

13 (II) THE SIGNAL IS IN THE MODE DESCRIBED IN SECTION  
14 3114 (RELATING TO FLASHING SIGNALS).

15 (3) A FINE IS NOT AUTHORIZED DURING [THE]:

16 (I) THE FIRST 120 DAYS OF OPERATION OF THE AUTOMATED  
17 SYSTEM[. DURING THE TIME PERIOD UNDER THIS PARAGRAPH, A]  
18 AT THE INITIAL INTERSECTION.

19 (II) THE FIRST 60 DAYS FOR EACH ADDITIONAL  
20 INTERSECTION SELECTED FOR THE AUTOMATED SYSTEM.

21 (3.1) A WARNING MAY BE SENT TO THE VIOLATOR UNDER  
22 PARAGRAPH (3).

23 (4) A PENALTY IMPOSED UNDER THIS SECTION SHALL NOT BE  
24 DEEMED A CRIMINAL CONVICTION AND SHALL NOT BE MADE PART OF  
25 THE OPERATING RECORD UNDER SECTION 1535 (RELATING TO SCHEDULE  
26 OF CONVICTIONS AND POINTS) OF THE INDIVIDUAL UPON WHOM THE  
27 PENALTY IS IMPOSED, NOR MAY THE IMPOSITION OF THE PENALTY BE  
28 SUBJECT TO MERIT RATING FOR INSURANCE PURPOSES.

29 (5) NO SURCHARGE POINTS MAY BE IMPOSED IN THE PROVISION  
30 OF MOTOR VEHICLE INSURANCE COVERAGE. FINES COLLECTED UNDER

THIS SECTION SHALL NOT BE SUBJECT TO 42 PA.C.S. § 3571  
(RELATING TO COMMONWEALTH PORTION OF FINES, ETC.) OR 3573  
(RELATING TO MUNICIPAL CORPORATION PORTION OF FINES, ETC.).

\* \* \*

(J) NOTICE TO OWNER.--IN THE CASE OF A VIOLATION INVOLVING A  
MOTOR VEHICLE REGISTERED UNDER THE LAWS OF THIS COMMONWEALTH,  
THE NOTICE OF VIOLATION MUST BE MAILED WITHIN [14 DAYS OF THE  
VIOLATION, EXCLUSIVE OF SUNDAYS AND HOLIDAYS,] 30 DAYS AFTER THE  
COMMISSION OF THE VIOLATION OR WITHIN 30 DAYS AFTER THE  
DISCOVERY OF THE IDENTITY OF THE REGISTERED OWNER, WHICHEVER IS  
LATER, AND NOT THEREAFTER TO THE ADDRESS OF THE REGISTERED OWNER  
AS LISTED IN THE RECORDS OF THE DEPARTMENT. IN THE CASE OF MOTOR  
VEHICLES REGISTERED IN JURISDICTIONS OTHER THAN THIS  
COMMONWEALTH, THE NOTICE OF VIOLATION MUST BE MAILED WITHIN [21  
DAYS OF THE VIOLATION, EXCLUSIVE OF SUNDAYS AND HOLIDAYS,] 30  
DAYS AFTER THE DISCOVERY OF THE IDENTITY OF THE REGISTERED  
OWNER, WHICHEVER IS LATER, AND NOT THEREAFTER TO THE ADDRESS OF  
THE REGISTERED OWNER AS LISTED IN THE RECORDS OF THE OFFICIAL IN  
THE JURISDICTION HAVING CHARGE OF THE REGISTRATION OF THE  
VEHICLE. A NOTICE OF VIOLATION UNDER THIS SECTION MUST BE  
PROVIDED TO AN OWNER WITHIN 90 DAYS OF THE COMMISSION OF THE  
OFFENSE.

\* \* \*

§ 4703. OPERATION OF VEHICLE WITHOUT OFFICIAL CERTIFICATE OF  
INSPECTION.

\* \* \*

(B) EXCEPTIONS.--SUBSECTION (A) DOES NOT APPLY TO:

(1) SPECIAL MOBILE EQUIPMENT.

(2) IMPLEMENTS OF HUSBANDRY.

(2.1) REGISTERED COMMERCIAL IMPLEMENT OF HUSBANDRY WITH

1 AN IMPLEMENT OF HUSBANDRY BODY TYPE.

2 (3) MOTOR VEHICLES BEING TOWED.

3 (4) MOTOR VEHICLES BEING OPERATED OR TRAILERS BEING  
4 TOWED BY AN OFFICIAL INSPECTION STATION OWNER OR EMPLOYEE FOR  
5 THE PURPOSE OF INSPECTION.

6 (5) TRAILERS HAVING A REGISTERED GROSS WEIGHT OF 3,000  
7 POUNDS OR LESS.

8 (5.1) A TRAILER OR SEMITRAILER WITH A GROSS WEIGHT OR  
9 GROSS VEHICLE WEIGHT RATING OF GREATER THAN 17,000 POUNDS  
10 DISPLAYING A CURRENTLY VALID FEDERAL CERTIFICATE OF  
11 INSPECTION.

12 (6) MOTORIZED PEDALCYCLES.

13 (7) VEHICLES BEING REPOSSESSED BY A FINANCIER OR  
14 COLLECTOR-REPOSSESSOR BUSINESS OR VEHICLES ENROUTE TO A  
15 WHOLESALE VEHICLE AUCTION BY A TRANSPORTER BUSINESS USING THE  
16 APPROPRIATE MISCELLANEOUS MOTOR VEHICLE BUSINESS REGISTRATION  
17 PLATES.

18 (8) NEW VEHICLES WHILE THEY ARE IN THE PROCESS OF  
19 MANUFACTURE, INCLUDING TESTING, AND NOT IN TRANSIT FROM THE  
20 MANUFACTURER TO A PURCHASER OR DEALER.

21 (9) ANY MILITARY VEHICLE USED FOR TRAINING BY A PRIVATE,  
22 NONPROFIT, TAX EXEMPT MILITARY EDUCATIONAL INSTITUTION WHEN  
23 SUCH VEHICLE DOES NOT TRAVEL ON PUBLIC ROADS IN EXCESS OF ONE  
24 MILE AND THE PROPERTY ON BOTH SIDES OF THE PUBLIC ROAD IS  
25 OWNED BY THE INSTITUTION.

26 (10) A MOTOR VEHICLE REGISTERED AS AN ANTIQUE PURSUANT  
27 TO SECTION 1340 (RELATING TO ANTIQUE, CLASSIC AND COLLECTIBLE  
28 PLATES).

29 (11) A MOTOR VEHICLE BEING OPERATED BY THE VEHICLE OWNER  
30 WHILE ENROUTE TO AN INSPECTION STATION WHERE AN APPOINTMENT

FOR INSPECTION HAS BEEN SCHEDULED, PROVIDED THAT SUCH OPERATION OCCURS NO LATER THAN TEN DAYS AFTER THE EXPIRATION OF A VALID CERTIFICATE OF INSPECTION ISSUED UNDER THIS CHAPTER.

(13) NEW VEHICLES IN THE POSSESSION OF A SECOND-STAGE MANUFACTURER WHICH ARE IN TRANSIT:

(I) FROM A DEALER OR DISTRIBUTOR FOR COMPLETION; OR

(II) TO A DEALER OR DISTRIBUTOR UPON COMPLETION.

\* \* \*

SECTION 7. SECTION 4962 OF TITLE 75 IS AMENDED BY ADDING A SUBSECTION TO READ:

§ 4962. CONDITIONS OF PERMITS AND SECURITY FOR DAMAGES.

\* \* \*

(F.2) VEHICLES GREATER THAN 13 FEET BUT LESS THAN 14 FEET IN BODY WIDTH SHALL ONLY BE REQUIRED TO MAINTAIN ONE PILOT CAR. THE POSITION OF THE PILOT CAR TO THE FRONT OR REAR OF THE PERMITTED VEHICLE MAY BE DETERMINED BY THE DEPARTMENT.

\* \* \*

SECTION 8. SECTION 4974 OF TITLE 75 IS AMENDED TO READ:

§ 4974. Permit for movement of containerized cargo.

(a) General rule.--An annual permit may be issued authorizing the movement on highways of containerized cargo which exceeds the maximum vehicle gross or maximum axle weights specified in Subchapter C (relating to maximum weights of vehicles). [The] Except as set forth in subsection (b), the weight of any combination permitted under this section shall not exceed 90,000 pounds overall gross weight and 21,000 pounds on any axle. A brake retarder is not required on a combination permitted under this section while the combination is operated within the counties [which comprise the district of a port of a

city of the first class.] of Bucks, Chester, Delaware,  
Montgomery and Philadelphia. A vehicle operating under a permit  
authorized under this section may be driven 24 hours a day,  
seven days a week, except on holidays and in inclement weather.

(b) Refrigerated meat products.--An annual permit may be  
issued authorizing the movement on specified highways of  
containerized cargo consisting of refrigerated meat products  
which exceeds the maximum vehicle gross weight or maximum axle  
weights specified in Subchapter C, subject to the following  
conditions:

(1) The vehicle must be a six-axle combination - three-  
axle truck tractor.

(2) Gross vehicular weight must not exceed 107,500  
pounds.

(3) Maximum weight on any axle must not exceed 21,000  
pounds.

(4) Specified highways and routes may only be permitted  
in the counties of Bucks, Chester, Delaware, Montgomery and  
Philadelphia.

(5) Travel is authorized 24 hours a day, seven days a  
week, except on holidays and in inclement weather.

~~Section 3-4. This act shall take effect in 60 days.~~ <—

SECTION 9. SECTION 6309(A), (C), (E)(2) AND (F), 6309.1(D) <—  
AND (F)(2), 6309.2(A), (C)(2) AND (D) AND 6310(E) OF TITLE 75  
ARE AMENDED TO READ:

§ 6309. IMPOUNDMENT FOR NONPAYMENT OF FINES; VEHICLES OR  
COMBINATIONS WITH A GROSS VEHICLE WEIGHT RATING OF  
17,001 POUNDS OR MORE.

(A) GENERAL RULE.--UPON IMPOSITION OF A FINE IN EXCESS OF  
\$250 IMPOSED PURSUANT TO SECTION 1301 (RELATING TO REGISTRATION

1 AND CERTIFICATE OF TITLE REQUIRED), 1371 (RELATING TO OPERATION  
2 FOLLOWING SUSPENSION OF REGISTRATION), 4107(B) (RELATING TO  
3 UNLAWFUL ACTIVITIES) OR CHAPTER 49 (RELATING TO SIZE, WEIGHT AND  
4 LOAD), THE DEFENDANT SHALL BE ALLOWED 24 HOURS EITHER TO OBTAIN  
5 THE FUNDS AND PAY THE FINE AND COSTS OF PROSECUTION OR TO MAKE  
6 ARRANGEMENTS WITH THE ISSUING AUTHORITY TO PAY IN INSTALLMENTS  
7 AS PROVIDED BY THE PENNSYLVANIA RULES OF CRIMINAL PROCEDURE,  
8 DURING WHICH TIME THE DEFENDANT'S VEHICLE OR COMBINATION SHALL  
9 BE RENDERED TEMPORARILY INOPERABLE BY SUCH POLICE OFFICER,  
10 SHERIFF OR CONSTABLE AS THE ISSUING AUTHORITY SHALL DESIGNATE[.]  
11 OR, IN THE INTEREST OF PUBLIC SAFETY, SUCH POLICE OFFICER,  
12 SHERIFF OR CONSTABLE SHALL DIRECT THAT THE VEHICLE OR  
13 COMBINATION BE TOWED AND STORED BY THE APPROPRIATE TOWING AND  
14 STORAGE AGENT WITH PROMPT NOTICE TO THE ISSUING AUTHORITY. IF  
15 THE DEFENDANT NEITHER MAKES PAYMENT NOR MAKES ARRANGEMENTS FOR  
16 PAYMENT WITHIN THE 24-HOUR PERIOD OR DEFAULTS ON SUCH PAYMENT,  
17 THE ISSUING AUTHORITY MAY ISSUE AN IMPOUNDMENT ORDER AND DIRECT  
18 ENFORCEMENT OF THE ORDER BY A POLICE OFFICER, CONSTABLE OR [AN  
19 IMPOUNDMENT OFFICIAL AS AUTHORIZED BY THE ISSUING AUTHORITY] THE  
20 APPROPRIATE TOWING AND STORAGE AGENT. IN CITIES OF THE FIRST  
21 CLASS, THE ISSUING AUTHORITY SHALL DIRECT ENFORCEMENT OF THE  
22 IMPOUNDMENT ORDER BY THE PHILADELPHIA PARKING AUTHORITY.

23 \* \* \*

24 (C) NOTICE OF IMPOUNDMENT.--[THE] EXCEPT IN CITIES OF THE  
25 FIRST CLASS, THE APPROPRIATE LAW ENFORCEMENT OFFICER SHALL GIVE  
26 IMMEDIATE NOTICE BY THE MOST EXPEDITIOUS MEANS AND BY CERTIFIED  
27 MAIL, RETURN RECEIPT REQUESTED, OF THE IMPOUNDMENT AND LOCATION  
28 OF THE VEHICLE OR COMBINATION TO THE OWNER OF THE VEHICLE OR  
29 COMBINATION AND THE OWNER OF THE LOAD AND ANY LIENHOLDERS IF THE  
30 NAMES AND ADDRESSES OF THE OWNER AND ANY LIENHOLDER ARE KNOWN OR

CAN BE ASCERTAINED BY INVESTIGATION. IN CITIES OF THE FIRST CLASS, THE PHILADELPHIA PARKING AUTHORITY SHALL GIVE IMMEDIATE NOTICE BY [THE MOST EXPEDITIOUS MEANS AND BY] FIRST CLASS MAIL, PROOF OF [SERVICE] MAILING, OF THE IMPOUNDMENT AND LOCATION OF THE VEHICLE OR COMBINATION TO THE OWNER AND THE LIENHOLDER OF THE VEHICLE OR COMBINATION [AND THE OWNER OF THE LOAD AND ANY LIENHOLDERS IF THE NAMES AND ADDRESSES OF THE OWNER AND ANY LIENHOLDER ARE KNOWN OR CAN BE ASCERTAINED BY INVESTIGATION] USING REASONABLY AVAILABLE STATE DATABASES.

\* \* \*

(E) RECOVERY OF IMPOUNDED VEHICLE.--

\* \* \*

(2) ANY VEHICLE OR COMBINATION NOT RECOVERED UNDER THIS SUBSECTION MAY BE SOLD AS AN UNCLAIMED VEHICLE, COMBINATION OR LOAD UNDER SECTION 6310 (RELATING TO DISPOSITION OF IMPOUNDED VEHICLES, COMBINATIONS AND LOADS) [OR THE APPLICABLE LOCAL ORDINANCE].

[(F) DEFINITION.--AS USED IN THIS SECTION, THE TERM "COSTS" SHALL INCLUDE REASONABLE FEES.]

(F) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION:

"APPROPRIATE TOWING AND STORAGE AGENT." EITHER OF THE FOLLOWING:

(1) IN CITIES OF THE FIRST CLASS, THE PHILADELPHIA PARKING AUTHORITY OR ITS AUTHORIZED AGENT.

(2) IN MUNICIPALITIES OTHER THAN CITIES OF THE FIRST CLASS, A TOWING AND STORAGE AGENT DESIGNATED BY LOCAL ORDINANCE.

"COSTS." THE TERM SHALL INCLUDE REASONABLE FEES.



§ 6309.1. IMPOUNDMENT FOR NONPAYMENT OF FINES; VEHICLES OR  
COMBINATIONS WITH A GROSS VEHICLE WEIGHT RATING OF  
17,000 POUNDS OR LESS.

\* \* \*

(D) NOTICE OF IMPOUNDMENT.--[THE] EXCEPT IN CITIES OF THE  
FIRST CLASS, THE APPROPRIATE LAW ENFORCEMENT OFFICER SHALL GIVE  
IMMEDIATE NOTICE BY THE MOST EXPEDITIOUS MEANS AND BY CERTIFIED  
MAIL, RETURN RECEIPT REQUESTED, OF THE IMPOUNDMENT AND LOCATION  
OF THE VEHICLE OR COMBINATION TO THE OWNER OF THE VEHICLE OR  
COMBINATION AND ANY LIENHOLDER AND, IF APPLICABLE, ANY OWNER OF  
THE LOAD, IF THE NAMES AND ADDRESSES OF THE OWNER AND ANY  
LIENHOLDER ARE KNOWN OR CAN BE ASCERTAINED BY INVESTIGATION. IN  
CITIES OF THE FIRST CLASS, THE PHILADELPHIA PARKING AUTHORITY  
SHALL GIVE IMMEDIATE NOTICE BY [THE MOST EXPEDITIOUS MEANS AND  
BY] FIRST CLASS MAIL, PROOF OF [SERVICE] MAILING, OF THE  
IMPOUNDMENT AND LOCATION OF THE VEHICLE OR COMBINATION TO THE  
OWNER AND THE LIENHOLDER OF THE VEHICLE OR COMBINATION [AND ANY  
LIENHOLDER AND, IF APPLICABLE, THE OWNER OF THE LOAD, IF THE  
NAMES AND ADDRESSES OF THE OWNER AND ANY LIENHOLDER ARE KNOWN OR  
CAN BE ASCERTAINED BY INVESTIGATION] USING REASONABLY AVAILABLE  
STATE DATABASES.

\* \* \*

(F) RECOVERY OF IMPOUNDED VEHICLE.--

\* \* \*

(2) ANY VEHICLE OR COMBINATION NOT RECOVERED UNDER THIS  
SUBSECTION MAY BE SOLD AS AN UNCLAIMED VEHICLE, COMBINATION  
OR LOAD UNDER SECTION 6310 (RELATING TO DISPOSITION OF  
IMPOUNDED VEHICLES, COMBINATIONS AND LOADS) [OR THE  
APPLICABLE LOCAL ORDINANCE].

\* \* \*

§ 6309.2. IMMOBILIZATION, TOWING AND STORAGE OF VEHICLE FOR  
DRIVING WITHOUT OPERATING PRIVILEGES OR REGISTRATION.

(A) GENERAL RULE.--SUBJECT TO SUBSECTION (D), THE FOLLOWING  
SHALL APPLY:

(1) IF A PERSON OPERATES A MOTOR VEHICLE OR COMBINATION  
ON A HIGHWAY OR TRAFFICWAY OF THIS COMMONWEALTH WHILE THE  
PERSON'S OPERATING PRIVILEGE IS SUSPENDED, REVOKED, CANCELED,  
RECALLED OR DISQUALIFIED OR WHERE THE PERSON IS UNLICENSED,  
AS VERIFIED BY AN APPROPRIATE LAW ENFORCEMENT OFFICER IN  
COOPERATION WITH THE DEPARTMENT, THE LAW ENFORCEMENT OFFICER  
SHALL IMMOBILIZE THE VEHICLE OR COMBINATION OR IN THE  
INTEREST OF PUBLIC SAFETY, DIRECT THAT THE VEHICLE BE TOWED  
AND STORED BY THE APPROPRIATE TOWING AND STORAGE AGENT  
PURSUANT TO SUBSECTION (C), AND THE APPROPRIATE JUDICIAL  
AUTHORITY SHALL BE SO NOTIFIED.

(2) IF A MOTOR VEHICLE OR COMBINATION FOR WHICH THERE IS  
NO VALID REGISTRATION OR FOR WHICH THE REGISTRATION IS  
SUSPENDED [FOR FAILING TO MAINTAIN FINANCIAL RESPONSIBILITY],  
AS VERIFIED BY AN APPROPRIATE LAW ENFORCEMENT OFFICER, IS  
OPERATED ON A HIGHWAY OR TRAFFICWAY OF THIS COMMONWEALTH,  
[THE MOTOR VEHICLE OR COMBINATION SHALL BE IMMOBILIZED BY]  
THE LAW ENFORCEMENT [AUTHORITY] OFFICER SHALL IMMOBILIZE THE  
MOTOR VEHICLE OR COMBINATION OR, IN THE INTEREST OF PUBLIC  
SAFETY, DIRECT THAT THE VEHICLE BE TOWED AND STORED BY THE  
APPROPRIATE TOWING AND STORING AGENT PURSUANT TO SUBSECTION  
(C), AND THE APPROPRIATE JUDICIAL AUTHORITY SHALL BE SO  
NOTIFIED.

\* \* \*

(C) PROCEDURE UPON TOWING AND STORAGE.--

\* \* \*

1 (2) IN A CITY OF THE FIRST CLASS, THE FOLLOWING STEPS  
2 SHALL BE TAKEN:

3 (I) THE APPROPRIATE JUDICIAL AUTHORITY OR  
4 APPROPRIATE LAW ENFORCEMENT OFFICER SHALL NOTIFY THE  
5 APPROPRIATE TOWING AND STORAGE AGENT.

6 (II) THE APPROPRIATE TOWING AND STORAGE AGENT SHALL  
7 TOW AND STORE THE VEHICLE OR COMBINATION AND PROVIDE  
8 NOTICE [BY THE MOST EXPEDITIOUS MEANS AND] BY FIRST CLASS  
9 MAIL, PROOF OF [SERVICE] MAILING, OF THE TOWING, STORAGE  
10 AND LOCATION OF THE VEHICLE OR COMBINATION TO THE OWNER  
11 AND THE LIENHOLDER OF THE VEHICLE OR COMBINATION [AND ANY  
12 LIENHOLDER AND, IF APPLICABLE, THE HOLDER OF RECORD OWNER  
13 OF THE LOAD, IF THE NAMES AND ADDRESSES OF THE OWNER AND  
14 ANY LIENHOLDER ARE KNOWN OR CAN BE ASCERTAINED BY  
15 INVESTIGATION] USING REASONABLY AVAILABLE STATE DATABASE.

16 (D) RECOVERY OF TOWED AND STORED VEHICLE.--

17 (1) THE OWNER OR LIENHOLDER OF ANY VEHICLE OR  
18 COMBINATION WHICH HAS BEEN TOWED AND STORED UNDER THIS  
19 SECTION MAY OBTAIN POSSESSION OF THE VEHICLE OR COMBINATION  
20 BY:

21 (I) FURNISHING PROOF OF VALID REGISTRATION AND  
22 FINANCIAL RESPONSIBILITY; AND

23 [(II) PAYING ALL FINES AND COSTS ASSOCIATED WITH THE  
24 TOWING AND STORAGE OF THE VEHICLE OR MAKING ARRANGEMENTS  
25 WITH THE APPROPRIATE JUDICIAL AUTHORITY TO MAKE PAYMENTS  
26 OF ALL FINES AND COSTS BY INSTALLMENTS AS PROVIDED BY THE  
27 PENNSYLVANIA RULES OF CRIMINAL PROCEDURE.]

28 (II) (A) IF THE TOWING AND STORAGE RESULTED FROM  
29 THE OPERATION OF THE VEHICLE OR COMBINATION BY THE  
30 OWNER, PAYING ALL FINES AND COSTS ASSOCIATED WITH THE

1           TOWING AND STORAGE OF THE VEHICLE OR COMBINATION AND  
2           ANY OTHER THAN OUTSTANDING FINES AND COSTS OF THE  
3           OWNER OR MAKING ARRANGEMENTS WITH THE APPROPRIATE  
4           JUDICIAL AUTHORITY TO MAKE PAYMENTS OF ALL OTHER  
5           OUTSTANDING FINES AND COSTS IMMEDIATELY OR, IN THE  
6           DISCRETION OF THE APPROPRIATE JUDICIAL AUTHORITY, BY  
7           INSTALLMENTS AS PROVIDED BY THE PENNSYLVANIA RULES OF  
8           CRIMINAL PROCEDURES; OR

9           (B) IF THE TOWING AND STORAGE RESULTED FROM THE  
10          OPERATION OF THE VEHICLE OR COMBINATION BY A PARTY  
11          OTHER THAN THE OWNER, BY PAYING ALL COSTS ASSOCIATED  
12          WITH THE TOWING AND STORAGE OF THE VEHICLE OR  
13          COMBINATION AND FINES ASSOCIATED WITH CITATIONS  
14          ISSUED BY THE LAW ENFORCEMENT OFFICER RELATED TO THE  
15          TOWING AND STORAGE AND ANY OTHER OUTSTANDING FINES  
16          AND COSTS OF THE OWNER OR MAKING ARRANGEMENTS WITH  
17          THE APPROPRIATE JUDICIAL AUTHORITY TO MAKE PAYMENTS  
18          OF ALL SUCH FINES AND COSTS OR, IN THE DISCRETION OF  
19          THE APPROPRIATE JUDICIAL AUTHORITY, BY INSTALLMENTS  
20          AS PROVIDED BY THE PENNSYLVANIA RULES OF CRIMINAL  
21          PROCEDURE.

22          (1.1) IN CITIES OF THE FIRST CLASS, THE APPROPRIATE  
23          JUDICIAL AUTHORITY SHALL NOT ISSUE AN ORDER FOR THE RELEASE  
24          OF ANY VEHICLE TOWED AND STORED PURSUANT TO THIS SECTION  
25          UNTIL PROVISIONS ARE MADE FOR PAYMENT OF ALL FINES AND  
26          PENALTIES ASSOCIATED WITH VIOLATIONS OF ANY LOCAL PARKING  
27          REGULATION OR ORDINANCE OR APPLICABLE SECTION OF THIS CHAPTER  
28          OR CHAPTER 61 (RELATING TO POWERS OF DEPARTMENT AND LOCAL  
29          AUTHORITIES).

30          (2) ANY VEHICLE NOT RECOVERED UNDER THIS SUBSECTION MAY

1 BE SOLD AS AN UNCLAIMED VEHICLE, COMBINATION OR LOAD UNDER  
2 SECTION 6310 (RELATING TO DISPOSITION OF IMPOUNDED VEHICLES,  
3 COMBINATIONS AND LOADS) [OR THE APPLICABLE LOCAL ORDINANCE.]  
4 THE PROCEEDS OF THE SALE SHALL BE APPLIED TO THE PAYMENT OF  
5 THE FINES AND COSTS ASSOCIATED WITH THE TOWING AND STORAGE OF  
6 THE VEHICLE.

7 \* \* \*

8 § 6310. DISPOSITION OF IMPOUNDED VEHICLES, COMBINATIONS AND  
9 LOADS.

10 \* \* \*

11 (E) DISPOSITION OF PROCEEDS OF SALE IN CITIES OF THE FIRST  
12 CLASS.--THE PROCEEDS OF SALE SHALL FIRST BE APPLIED TO THE  
13 PAYMENT OF ALL FINES AND COSTS AND [SECONDLY TO THE PAYMENT OF  
14 THE ENCUMBRANCES. THE BALANCE, IF ANY SHALL BE REMITTED TO THE  
15 OWNER.] THEN TO THE OWNER OR LIENHOLDER, WHICHEVER IS THE FIRST  
16 TO APPEAR. IF NOT CLAIMED WITHIN ONE YEAR, ANY REMAINING  
17 PROCEEDS SHALL BE FORFEITED TO THE APPROPRIATE TOWING AND  
18 STORAGE AGENT FOR PURPOSES OF FUNDING ITS COSTS ASSOCIATED WITH  
19 THIS CHAPTER.

20 \* \* \*

21 SECTION 10. SECTION 7725(B) AND (C) OF TITLE 75 ARE AMENDED  
22 AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

23 § 7725. OPERATION BY PERSONS UNDER AGE SIXTEEN.

24 \* \* \*

25 (B) OPERATION BY PERSONS UNDER [TEN] EIGHT YEARS OF AGE.--NO  
26 PERSON UNDER [TEN] EIGHT YEARS OF AGE SHALL OPERATE A SNOWMOBILE  
27 OR ATV UPON STATE-OWNED LAND.

28 (B.1) ATV SIZE RESTRICTIONS.--AN ATV OPERATED IN THIS  
29 COMMONWEALTH BY A PERSON EIGHT OR NINE YEARS OF AGE SHALL HAVE  
30 AN ENGINE SIZE OF 70CC OR LESS.

(C) SNOWMOBILE AND ATV SAFETY CERTIFICATION.--NO PERSON [10]  
8 TO 15 YEARS OF AGE SHALL OPERATE A SNOWMOBILE OR AN ATV IN  
THIS COMMONWEALTH UNLESS THE PERSON SATISFIES ONE OF THE  
FOLLOWING CONDITIONS:

(1) IS UNDER THE DIRECT SUPERVISION OF A CERTIFIED  
SNOWMOBILE OR ATV SAFETY INSTRUCTOR DURING A SAFETY TRAINING  
COURSE.

(2) IS ON LAND OWNED OR LEASED BY A PARENT OR LEGAL  
GUARDIAN.

(3) HAS RECEIVED SAFETY TRAINING AS PRESCRIBED BY THE  
DEPARTMENT AND HAS RECEIVED THE APPROPRIATE SAFETY  
CERTIFICATE ISSUED BY THE DEPARTMENT.

(4) HOLDS AN APPROPRIATE SAFETY CERTIFICATE ISSUED UNDER  
THE AUTHORITY OF ANOTHER STATE OR PROVINCE OF CANADA AND  
RECOGNIZED BY THE DEPARTMENT.

\* \* \*

SECTION 11. THE DEPARTMENT OF TRANSPORTATION AND THE  
PHILADELPHIA PARKING AUTHORITY SHALL ENTER INTO AN AGREEMENT TO  
ENFORCE THE PROVISIONS OF 75 PA.C.S. § 1379.

SECTION 12. THE DEPARTMENT OF TRANSPORTATION SHALL PUBLISH  
IN THE PENNSYLVANIA BULLETIN NOTICE OF THE EXECUTION OF THE  
AGREEMENT REQUIRED UNDER SECTION 11 OF THIS ACT WITHIN 14 DAYS  
OF ITS EXECUTION.

SECTION 13. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

(1) SECTIONS 11 AND 12 OF THIS ACT SHALL TAKE EFFECT  
IMMEDIATELY.

(2) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.

(3) THE ADDITION OF 75 PA.C.S. § 1379 SHALL TAKE EFFECT  
IN NINE MONTHS OR 60 DAYS AFTER PUBLICATION OF NOTICE IN THE  
PENNSYLVANIA BULLETIN REQUIRED UNDER SECTION 12 OF THIS ACT,

1       WHICHEVER IS EARLIER.

2           (4)   THE ADDITION OF 75 PA.C.S. § 1791.2 SHALL TAKE  
3       EFFECT IMMEDIATELY.

4           (5)   THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 60  
5       DAYS.