

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

## No. 1817

Session of  
1975

INTRODUCED BY BONETTO, OCTOBER 2, 1975

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF  
REPRESENTATIVES, AS AMENDED, FEBRUARY 11, 1976

## AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, adding revised, compiled and codified provisions  
3 relating to vehicles AND PEDESTRIANS. <—

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21 § 7122. Altered, forged or counterfeit documents and plates.

22 § 7123. Sale or purchase of certificate or other document.

23 § 7124. Fraudulent use or removal of registration plate.

24 Chapter 73. Abandoned Vehicles and Cargos

25 § 7301. Authorization of salvors.

26 § 7302. Certificate of authorization.

27 § 7303. Suspension of authorization.

28 § 7304. Reports to department of possession of abandoned  
29 vehicles.

30 § 7305. Notice to owner and lienholders of abandoned vehicles.

1 § 7306. Payment of costs upon reclaiming vehicle.  
2 § 7307. Authorization for disposal of unclaimed vehicles.  
3 § 7308. Public sale of unclaimed vehicles with value.  
4 § 7309. Junking of vehicles valueless except for junk.  
5 § 7310. Removal of vehicles and spilled cargo from roadway.  
6 § 7311. Reports by garage keepers of abandoned vehicles.  
7 § 7312. Penalty for violation of chapter.

8 Chapter 75. Messenger Service

9 § 7501. Authorization of messenger service.  
10 § 7502. Certificate of authorization.  
11 § 7503. Suspension of authorization.  
12 § 7504. Place of business.  
13 § 7505. Transaction of business with department.  
14 § 7506. Violations and penalties.

15 The General Assembly of the Commonwealth of Pennsylvania  
16 hereby enacts as follows:

17 Section 1. Title 75, act of November 25, 1970 (P.L.707,  
18 No.230), known as the Pennsylvania Consolidated Statutes, is  
19 amended by adding parts to read:

20 TITLE 75

21 VEHICLES

22 Part

23 I. Preliminary Provisions

24 II. Title, Registration and Licensing

25 III. Operation of Vehicles

26 IV. Vehicle Characteristics

27 V. Administration and Enforcement

28 VI. Miscellaneous Provisions

29 PART I

30 PRELIMINARY PROVISIONS

1 Chapter

2 1. General Provisions

3 CHAPTER 1

4 GENERAL PROVISIONS

5 Sec.

6 101. Short title of title.

7 102. Definitions.

8 103. Uniformity of interpretation.

9 104. Continuation of existing law.

10 § 101. Short title of title.

11 This title shall be known and may be cited as the "Vehicle  
12 Code."

13 § 102. Definitions.

14 Subject to additional definitions contained in subsequent  
15 provisions of this title which are applicable to specific  
16 provisions of this title, the following words and phrases when  
17 used in this title shall have, unless the content clearly  
18 indicates otherwise, the meanings given to them in this section:

19 "Abandoned vehicle."

20 (1) A vehicle:

21 (i) that is inoperable and is left unattended on  
22 public property for more than 48 hours;

23 (ii) that has remained illegally on public property  
24 for a period of more than 48 hours;

25 (iii) without a VALID registration plate or <—  
26 certificate of INSPECTION OR title left unattended on or <—  
27 along a highway; or

28 (iv) that has remained on private property without  
29 the consent of the owner or person in control of the  
30 property for more than 48 hours.

(2) Vehicles and equipment used or to be used in construction or in the operation or maintenance of public utility facilities, which are left in a manner which does not interfere with the normal movement of traffic, shall not be considered to be abandoned.

"Alley." A street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic.

"Antique motor vehicle." A motor vehicle, but not a reproduction thereof, manufactured more than 25 years prior to the current year which has been maintained in or restored to a condition which is substantially in conformance with manufactured specifications.

"Authorized vehicle." A vehicle or type of vehicle, other than an emergency vehicle, for which special operating or equipment privileges are given by law or regulation of the department based on design and utility for work within a highway.

"Bus." A motor vehicle designed for carrying more than ten passengers and used for the transportation of persons and a motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

"Business district." The territory contiguous to and including a highway when within any 600 feet along the highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, or office buildings, railroad stations and public buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the highway.

"Classic motor vehicle." A self-propelled vehicle, but not a

1 reproduction thereof, manufactured more than ten years prior to  
2 the current year and, because of discontinued production and  
3 limited availability, determined by the department to be a model  
4 or make of significant value to collectors or exhibitors and  
5 which has been maintained in or restored to a condition which is  
6 substantially in conformity with manufacturer specifications and  
7 appearance.

8 "Combination." Two or more vehicles physically  
9 interconnected in tandem.

10 "Crosswalk."

11 (1) That part of a roadway at an intersection included  
12 within the connections of the lateral lines of the sidewalks  
13 on opposite sides of the highway, measured from the curbs or,  
14 in the absence of curbs, from the edges of the traversable  
15 roadway; AND, IN THE ABSENCE OF A SIDEWALK ON ONE SIDE OF THE <—  
16 ROADWAY, THAT PART OF A ROADWAY INCLUDED WITHIN THE EXTENSION  
17 OF THE LATERAL LINES OF THE EXISTING SIDEWALK.

18 (2) Any portion of a roadway at an intersection or  
19 elsewhere distinctly indicated for pedestrian crossing by  
20 lines or other markings on the surface.

21 "Dealer." A person engaged in the business of buying,  
22 selling or exchanging vehicles.

23 "Department." The Department of Transportation of the  
24 Commonwealth.

25 "Divided highway." A highway divided into two or more  
26 roadways and so constructed as to impede vehicular traffic  
27 between the roadways by providing an intervening space, physical  
28 barrier or clearly indicated dividing section.

29 "Driveaway-towaway operation." Any operation in which any  
30 motor vehicle, trailer or semi-trailer, singly or in



1 combination, constitutes the commodity being transported, when  
2 one set or more of wheels of the vehicle are on the highway  
3 during the course of transportation, whether or not the vehicle  
4 furnished the motive power.

5 "Driver." A person who drives or is in actual physical  
6 control of a vehicle.

7 "Driver's license." A license or permit to drive a motor  
8 vehicle issued under this title INCLUDING A RECEIPT ISSUED UNDER <—  
9 SECTION 6304(A) (RELATING TO DISPOSITION OF LICENSE UPON  
10 VIOLATION BY LICENSEE).

11 "Emergency vehicle." A fire department vehicle, police  
12 vehicle, ambulance and or other vehicle designated by the  
13 secretary under section 6106 (relating to designation of  
14 emergency vehicles by department).

15 "Engineering and traffic study." An orderly examination or  
16 analysis of physical features and traffic conditions conducted  
17 in accordance with regulations of the department and conforming  
18 to generally accepted engineering standards and practices for  
19 the purpose of ascertaining the need or lack of need for a  
20 particular action by the department or local authorities.

21 "Essential parts." All integral and body parts of a vehicle  
22 of a type required to be registered under this title, the  
23 removal, alteration or substitution of which would tend to  
24 conceal the identity of the vehicle or substantially alter its  
25 appearance, model, type or mode of operation.

26 "Established place of business." The place actually occupied  
27 either continuously or at regular periods by a dealer,  
28 manufacturer or other vehicle-related business where the books  
29 and records are kept and a large share of the business is  
30 transacted.

1 "Exhibit." Surrender of a document into the temporary  
2 possession of a person for the purpose of examining the  
3 document.

4 "Farm truck." A truck used exclusively for farming purposes.

5 "Fleet owner." A person owning or leasing 15 or more  
6 vehicles who provides servicing and repair of the vehicles.

7 "Foreign vehicle." A vehicle of a type required to be  
8 registered under this title brought into this Commonwealth from  
9 another state, territory or country other than in the ordinary  
10 course of business by or through a manufacturer or dealer and  
11 not registered in this Commonwealth.

12 "Freeway." A limited-access highway to which the only means  
13 of ingress and egress is by interchange ramps.

14 "Full trailer." A vehicle designed to be drawn by a motor  
15 vehicle and so constructed that no part of its weight rests upon  
16 the towing vehicle. A semi-trailer attached to a towing vehicle  
17 by means of an auxiliary front axle or dolly shall be deemed to  
18 be a full trailer.

19 "Gross combination weight rating (GCWR)." The value  
20 specified by the manufacturer as the loaded weight of a  
21 combination.

22 "Gross vehicle weight rating (GVWR)." The value specified by  
23 the manufacturer as the loaded weight of a single vehicle.

24 "Gross weight." The combined weight of a vehicle or  
25 combination of vehicles and its load and driver.

26 "Highway." The entire width between the boundary lines of  
27 every way publicly maintained when any part thereof is open to  
28 the use of the public for purposes of vehicular travel. The term  
29 includes a roadway open to the use of the public for vehicular  
30 travel on grounds of a college or university.

1 "House trailer."

2 (1) A trailer which is designed, constructed and  
3 equipped as a dwelling place, living abode or sleeping place  
4 (either permanently or temporarily) and is equipped for use  
5 as a conveyance on streets and highways.

6 (2) A trailer containing a chassis and exterior shell  
7 designed and constructed for use as a house trailer, as  
8 defined in paragraph (1), but which is used permanently or  
9 temporarily for advertising, sales, display or promotion of  
10 merchandise or services, or for any other commercial purpose  
11 except the transportation of property.

12 "Implement of husbandry." A vehicle designed or adapted and  
13 used exclusively for agricultural operations and only  
14 incidentally operated or moved upon the highway.

15 "Intersection."

16 (1) The area embraced within the prolongation or  
17 connection of the lateral curb lines, or, if none, then the  
18 lateral boundary lines of the roadways of two highways which  
19 join one another at, or approximately at, right angles, or  
20 the area within which vehicles traveling upon different  
21 highways joining at any other angle may come in conflict.

22 (2) Where a highway includes two roadways 30 feet or  
23 more apart, then every crossing of each roadway of the  
24 divided highway by an intersecting highway shall be regarded  
25 as a separate intersection. In the event the intersecting  
26 highway also includes two roadways 30 feet or more apart,  
27 then every crossing of two roadways of the highways shall be  
28 regarded as a separate intersection.

29 "Issuing authority." A public official having the power and  
30 authority of a justice of the peace, magistrate or district

1 justice.

2 "Laned roadway." A roadway which is divided into two or more  
3 clearly marked lanes for vehicular traffic.

4 "Learner's permit." A driver's license issued for the  
5 purpose of learning to operate a motor vehicle.

6 "Lienholder." A person holding a security interest in a  
7 vehicle.

8 "Limited access highway." A highway in respect to which  
9 owners or occupants of abutting lands and other persons have no  
10 legal right of access except at points and in the manner  
11 determined by the authority having jurisdiction over the  
12 highway.

13 "Local authorities." County, municipal and other local  
14 boards or bodies having authority to enact laws relating to  
15 traffic.

16 "Manufacturer." A person engaged in the business of  
17 constructing or assembling vehicles or motors or bodies of  
18 vehicles.

19 "Manufacturer's shipping weight." The weight of a vehicle  
20 including all installed options as delivered for retail sale by  
21 the final stage manufacturer and as indicated on the  
22 manufacturer's certificate of origin.

23 "Messenger service." A person who, for a fee, advertises,  
24 offers or provides to the public, ~~generally,~~ the service of <—  
25 obtaining from the department vehicle titles, registrations,  
26 drivers' licenses and similar documents. A dealer who obtains  
27 documents only for purchasers of vehicles from the dealer is not  
28 a messenger service.

29 "Mobile home." A trailer designed and used exclusively for  
30 living quarters OR COMMERCIAL PURPOSES which exceeds the maximum <—

1 size limitations prescribed by this title for operation on a  
2 highway and ~~includes those units~~ IS ONLY INCIDENTALLY OPERATED <—  
3 ON A HIGHWAY, INCLUDING A UNIT transported on a removable or  
4 non-removable frame designed so as to be assembled together with  
5 another unit or units into a structure which is used exclusively  
6 for living quarters, commonly known as A "modular ~~units~~ UNIT." <—  
7 "Motor home." A motor vehicle designed, used or maintained  
8 primarily as a mobile dwelling, office or commercial space.  
9 "Motor vehicle." A vehicle which is self-propelled ~~or~~ EXCEPT <—  
10 ONE which is propelled by electric power obtained from overhead  
11 trolley wires, but not operated upon rails.  
12 "Motorcycle." A motor vehicle having a seat or saddle for  
13 the use of the rider and designed to travel on not more than  
14 three wheels in contact with the ground.  
15 "Motor-driven cycle." A motorcycle, including a motor  
16 scooter, with a motor which produces not to exceed five brake  
17 horsepower, and every bicycle with motor attached.  
18 "MOTORIZED BICYCLE." A MOTOR-DRIVEN CYCLE EQUIPPED WITH <—  
19 OPERABLE PEDALS, A MOTOR RATED NO MORE THAN 1.5 BRAKE  
20 HORSEPOWER, A CYLINDER CAPACITY NOT EXCEEDING 50 CUBIC  
21 CENTIMETERS, AN AUTOMATIC TRANSMISSION, AND A MAXIMUM DESIGN  
22 SPEED OF NO MORE THAN 25 MILES PER HOUR.  
23 "Nondivisible." Incapable of being divided into parts or  
24 dismembered without substantially damaging its usefulness or  
25 value.  
26 "Nonresident." A person who is not a resident of this  
27 Commonwealth.  
28 "Number." When used in the context of identification means a  
29 series of numerals or letters or both, with or without a prefix  
30 or suffix.

1 "Official traffic-control devices." Signs, signals, markings  
2 and devices not inconsistent with this title placed or erected  
3 by authority of a public body or official having jurisdiction,  
4 for the purpose of regulating, warning or guiding traffic.

5 "Operating privilege." The privilege to apply for and obtain  
6 a license to use as well as the privilege to use a vehicle on a  
7 highway as authorized in this title, but not a contract,  
8 property right or civil right.

9 "Overtime parking." The continuous parking of a vehicle for  
10 a period of time exceeding the maximum period established by  
11 law.

12 "Owner." A person, other than a lienholder, having the  
13 property right in or title to a vehicle. The term includes a  
14 person entitled to the use and possession of a vehicle subject  
15 to a security interest in another person, but excludes a lessee  
16 under a lease not intended as security.

17 "Park" or "parking."

18 (1) When permitted, means the temporary storing of a  
19 vehicle, whether occupied or not, off the roadway.

20 (2) When prohibited, means the halting of a vehicle,  
21 whether occupied or not, except momentarily for the purpose  
22 of and while actually engaged in loading or unloading  
23 property or passengers.

24 "Passenger car." A motor vehicle, except a motorcycle or  
25 motor-driven cycle, designed for carrying ten passengers or less  
26 and primarily used for the transportation of persons.

27 "Pedestrian." A natural person afoot.

28 "Pennsylvania Turnpike." The highway system owned and  
29 operated by the Pennsylvania Turnpike Commission.

30 "Person." A natural person, firm, copartnership, association

1 or corporation.

2 "Police officer." A natural person authorized to direct or  
3 regulate traffic and to make arrests for violations of traffic  
4 regulations.

5 "Private road or driveway." A way or place in private  
6 ownership and used for vehicular travel by the owner and those  
7 having express or implied permission from the owner, but not by  
8 other persons.

9 "Proof of insurance." A card issued by an insurance carrier  
10 in compliance with regulations of the Insurance Commissioner  
11 evidencing that a vehicle is covered by the insurance required  
12 in section 104(a) of the act of July 19, 1974 (P.L.489, No.176),  
13 known as the "Pennsylvania No-fault Motor Vehicle Insurance Act"  
14 and regulations issued thereunder, OR A CARD EVIDENCING THAT A <—  
15 VEHICLE IS SELF-INSURED IN COMPLIANCE WITH THAT ACT AND  
16 REGULATIONS.

17 "Railroad grade crossing." One or more railroad tracks, but  
18 not streetcar tracks, which intersect or cross a highway at the  
19 same level or grade.

20 "Railroad sign or signal." A sign, signal or device erected  
21 by authority of a public body or official or by a railroad and  
22 intended to give notice of the presence of railroad tracks or  
23 the approach of a railroad train.

24 "Recall." To withdraw by formal action of the department for  
25 an indefinite period the operating privilege of a person for  
26 reasons of incompetency.

27 "Reconstructed vehicle." A vehicle of a type required to be  
28 registered under this title materially altered from its original  
29 construction by the removal, addition or substitution of  
30 essential parts, new or used.

1 "Registered gross weight." The maximum gross weight at which  
2 a vehicle or combination is registered in this Commonwealth to  
3 operate upon a highway.

4 "Registration." The authority for a vehicle to operate on a  
5 highway as evidenced by the issuance of an identifying card and  
6 plate or plates.

7 "Residence district." The territory contiguous to and  
8 including a highway not comprising a business district when the  
9 property on the highway for a distance of 300 feet or more is in  
10 the main improved with residences or residences and buildings in  
11 use for business.

12 "Resident." A person dwelling permanently or continuously  
13 for a period exceeding 30 consecutive days within this  
14 Commonwealth, except that a person who regularly dwells in two  
15 or more states shall declare residence to be in any one of the  
16 states.

17 "Revoke." To terminate by formal action of the department  
18 any license, registration or privilege issued or granted by the  
19 department. Following a period of revocation, the license,  
20 registration or privilege may not be restored except upon  
21 submission and acceptance of a new application.

22 "Right-of-way." The right of one vehicle or pedestrian to  
23 proceed in a lawful manner in preference to another vehicle or  
24 pedestrian approaching under such circumstances of direction,  
25 speed and proximity as to give rise to danger or collision  
26 unless one grants precedence to the other.

27 "Roadway." That portion of a highway improved, designed or  
28 ordinarily used for vehicular travel, exclusive of the berm or  
29 shoulder. In the event a highway includes two or more separate  
30 roadways the term "roadway" refers to each roadway separately



1 but not to all such roadways collectively.

2 "Safety zone." The area or space officially set apart within  
3 a roadway for the exclusive use of pedestrians.

4 "Salvor." A person engaged in the business of acquiring  
5 abandoned vehicles for the purpose of taking apart, junking,  
6 selling, rebuilding or exchanging the vehicles or parts thereof.

7 "School bus." A motor vehicle which complies with the color  
8 and lighting identification requirements of section 4552  
9 (relating to general requirements for school buses).

10 "Secretary." The Secretary of Transportation of the  
11 Commonwealth.

12 "Security interest." An interest in a vehicle reserved or  
13 created by agreement which secures payment or performance of an  
14 obligation. The term includes the interest of a lessor under a  
15 lease intended as security. A security interest is perfected  
16 when it is valid against third parties generally, subject only  
17 to specific statutory exceptions.

18 "Semi-trailer." A vehicle designed to be towed by a motor  
19 vehicle and so constructed that some part of its weight rests  
20 upon or is carried by the towing vehicle.

21 "Shall." Indicates that an action is required or prohibited.

22 "Should." Indicates that an action is advisable but not  
23 required.

24 "Sidewalk." That portion of a street between curb lines, or  
25 the lateral lines of a roadway, and the adjacent property lines,  
26 intended for use by pedestrians.

27 "Special mobile equipment." Vehicles not designed or used  
28 primarily for the transportation of persons or property and only  
29 incidentally operated or moved over a highway, including but not  
30 limited to: ditch digging apparatus, well boring apparatus;

1 earth moving and road construction and maintenance machinery,  
2 such as asphalt spreaders, bituminous mixers, bucket loaders,  
3 snowplows, ditchers, graders, finishing machines, road rollers,  
4 scarifiers, earth moving carry-alls, scrapers, power shovels and  
5 drag lines; and self-propelled cranes and tractors, other than  
6 truck tractors. The term does not include house trailers; dump  
7 trucks; truck-mounted transit mixers, cranes or shovels; or  
8 other vehicles designed for the transportation of persons or  
9 property to which machinery has been attached.

10 "Specially constructed vehicle." A vehicle of a type  
11 required to be registered not originally constructed under a  
12 distinctive name, make, model or type by a generally recognized  
13 manufacturer of vehicles and not materially altered from its  
14 original construction.

15 "Stand" or "standing." When prohibited, means the halting of  
16 a vehicle, whether occupied or not, except momentarily for the  
17 purpose of and while actually engaged in receiving or  
18 discharging passengers.

19 "State." A state, territory or possession of the United  
20 States, the District of Columbia, the Commonwealth of Puerto  
21 Rico or a province of Canada.

22 "State designated highway." A highway or bridge on the  
23 system of highways and bridges over which the department has  
24 assumed or has been legislatively given jurisdiction.

25 "Stop" or "stopping."

26 (1) When required, means complete cessation from  
27 movement.

28 (2) When prohibited, means any halting even momentarily  
29 of a vehicle, whether occupied or not, except when necessary  
30 to avoid conflict with other traffic or in compliance with

1 the directions of a police officer or traffic-control sign or  
2 signal.

3 "Streetcar." A car other than a railroad train for  
4 transporting persons or property and operated upon rails.

5 "Suspend." To withdraw temporarily by formal action of the  
6 department any license, registration or privilege issued or  
7 granted by the department. Following a period of suspension, the  
8 department shall restore the license, registration or privilege.

9 "TAXI." A MOTOR VEHICLE DESIGNED FOR CARRYING NO MORE THAN 5 <—  
10 PASSENGERS AND USED FOR THE TRANSPORTATION OF PERSONS FOR  
11 COMPENSATION.

12 "Through highway." A highway or portion of a highway on  
13 which vehicular traffic is given preferential right-of-way, and  
14 at the entrances to which vehicular traffic from intersecting  
15 highways is required by law to yield the right-of-way to  
16 vehicles on the through highway in obedience to a stop sign,  
17 yield sign or other official traffic-control device when the  
18 signs or devices are erected as provided in this title.

19 "Tire width." The linear distance between the exteriors of  
20 the sidewalls of an uninflated tire, excluding elevations due to  
21 labeling, decoration or protective sidebands.

22 "Traffic." Pedestrians, ridden or herded animals, vehicles,  
23 streetcars and other conveyances, whether singly or together,  
24 using any highway for purposes of travel.

25 "Traffic-control signal." A device, whether manually,  
26 electrically or mechanically operated, by which traffic is  
27 alternately directed to stop and permitted to proceed.

28 "Trailer." A vehicle designed to be towed by a motor  
29 vehicle.

30 "Truck." A motor vehicle designed, used or maintained

1 primarily for the transportation of property.

2 "Truck-camper." A structure designed, used or maintained  
3 primarily to be loaded or affixed to a motor vehicle to provide  
4 a mobile dwelling, sleeping place, office or commercial space.

5 "Truck tractor." A motor vehicle designed and used primarily  
6 for drawing other vehicles and not so constructed as to carry a  
7 load other than a part of the weight of the vehicle and load so  
8 drawn.

9 "Urban district." The territory contiguous to and including  
10 any street which is built up with structures devoted to  
11 business, industry or dwelling houses situated at intervals of  
12 less than 100 feet for a distance of a quarter of a mile or  
13 more.

14 "Urban mass transportation system." A person holding a  
15 certificate of the Public Utility Commission or a municipality  
16 authority, port authority or transportation authority  
17 established under the laws of this Commonwealth that transports  
18 persons on schedule over fixed routes and derives over 80% of  
19 their revenue from scheduled operations within the county in  
20 which they have their principal place of business, or contiguous  
21 counties.

22 "Valueless except for junk." A vehicle which is inoperable  
23 or unable to meet the vehicle equipment and inspection standards  
24 under Part IV (relating to vehicle characteristics) to the  
25 extent that the cost of repairs would exceed the value of the  
26 repaired vehicle.

27 "Vehicle." Every device in, upon or by which any person or  
28 property is or may be transported or drawn upon a highway,  
29 except devices moved by human OR ANIMAL power or used  
30 exclusively upon rails or tracks.

<—

1 "Vehicle identification number." A number consisting of  
2 Arabic numerals or Roman numerals or both which the manufacturer  
3 assigns to a vehicle for identification purposes, or, in the  
4 absence of a manufacturer assigned number, which the department  
5 assigns to a vehicle for identification purposes.

6 "Wrecker." A motor vehicle designed or constructed and used  
7 for the towing of abandoned or disabled vehicles.

8 § 103. Uniformity of interpretation.

9 This title shall be so interpreted and construed as to  
10 effectuate its general purpose to make uniform the law  
11 throughout this Commonwealth and all political subdivisions.

12 § 104. Continuation of existing law.

13 The provisions of this title, so far as they are the same as  
14 those of existing law, are intended as a continuation of such  
15 laws and not as new enactments.

16 PART II

17 TITLE, REGISTRATION AND LICENSING

18 Chapter

19 11. Certificate of Title and Security Interests

20 13. Registration of Vehicles

21 15. Licensing of Drivers

22 17. Financial Responsibility

23 19. Fees ~~(Reserved)~~

<—

24 CHAPTER 11

25 CERTIFICATE OF TITLE AND SECURITY INTERESTS

26 Subchapter

27 A. Certificate of Title

28 B. Security Interests

29 SUBCHAPTER A

30 CERTIFICATE OF TITLE

1 Sec.

2 1101. Certificate of title required.

3 1102. Vehicles not requiring certificate of title.

4 1103. Application for certificate of title.

5 1104. Examination of records upon receipt of application.

6 1105. Issuance of certificate of title.

7 1106. Content and effect of certificate of title.

8 1107. Delivery of certificate of title.

9 1108. Registration without certificate of title ~~or with bond~~. <—

10 1109. Refusing issuance of certificate of title.

11 1110. Duplicate certificate of title to replace original.

12 1111. Transfer of ownership of vehicle.

13 1112. Disclosure of odometer reading and tampering with

14 odometer.

15 1113. Transfer to or from manufacturer or dealer.

16 1114. Transfer of vehicle by operation of law.

17 1115. Correction of certificate of title.

18 1116. Issuance of new certificate following transfer.

19 1117. Vehicle destroyed or junked.

20 1118. Suspension and cancellation of certificate of title.

21 1119. Application for certificate of title by agent.

22 § 1101. Certificate of title required.

23 (a) General rule.--Except as provided in section 1102

24 (relating to vehicles not requiring certificate of title), every

25 owner of a vehicle which is in this Commonwealth and for which

26 no certificate of title has been issued by the department shall

27 make application to the department for a certificate of title of

28 the vehicle.

29 (b) Registration without certificate prohibited.--The

30 department shall not register or renew the registration of a

1 vehicle unless a certificate of title has been issued by the  
2 department to the owner or an application for a certificate of  
3 title has been delivered by the owner to the department.

4 (c) Penalty.--Failure to obtain a certificate of title as  
5 required by law is a summary offense.

6 § 1102. Vehicles not requiring certificate of title.

7 No certificate of title need be obtained for:

8 (1) A vehicle owned by the United States unless it is  
9 registered in this Commonwealth.

10 (2) A golf cart, motor-driven cycle, go-cart or other  
11 similar vehicle unless it is registered in this Commonwealth.

12 (3) A new vehicle owned by a manufacturer or registered  
13 dealer before and until sale.

14 (4) A vehicle owned by a nonresident of this  
15 Commonwealth and not required by law to be registered in this  
16 Commonwealth.

17 (5) A vehicle owned by a resident legally required to be  
18 registered in another state, based and used principally  
19 outside of this Commonwealth, and not required by law to be  
20 registered in this Commonwealth.

21 (6) A vehicle regularly engaged in the interstate  
22 transportation of persons or property for which a currently  
23 effective certificate of title has been issued in another  
24 state.

25 (7) A vehicle moved solely by animal power.

26 (8) ~~Implements~~ AN IMPLEMENT of husbandry. <—

27 (9) Special mobile equipment.

28 (10) ~~Mobile homes~~. A MOBILE HOME. <—

29 § 1103. Application for certificate of title.

30 (a) Contents of application.--Application for a certificate

1 of title shall be made upon a form prescribed and furnished by  
2 the department and shall contain a full description of the  
3 vehicle, the vehicle identification number, date of purchase,  
4 the actual or bona fide name and address of the owner, a  
5 statement of the title of applicant, together with any other  
6 information or documents the department ~~reasonably~~ requires to <—  
7 identify the vehicle and to enable the department to determine  
8 whether the owner is entitled to a certificate of title and the  
9 amount and description of any security interests in the vehicle.

10 (b) Signing and filing of application.--Application for a  
11 certificate of title shall be made within ten days of the sale  
12 or transfer of a vehicle or its entry into this Commonwealth  
13 from another jurisdiction, whichever is later. The application  
14 shall be accompanied by the fee prescribed in this title, and  
15 any tax payable by the applicant under the laws of this  
16 Commonwealth in connection with the acquisition or use of a  
17 vehicle or evidence to show that the tax has been collected. The  
18 application shall be signed and verified by oath or affirmation  
19 by the applicant if a natural person; in the case of an  
20 association or partnership, by a member or a partner; and in the  
21 case of a corporation, by an executive officer or some person  
22 specifically authorized by the corporation to sign the  
23 application.

24 (c) Manufacturer's Statement of Origin for new vehicles.--If  
25 the application refers to a new vehicle, it shall be accompanied  
26 by the Manufacturer's Statement of Origin for the vehicle.

27 (d) Vehicles purchased from dealers.--If the application  
28 refers to a vehicle purchased from a dealer, the dealer shall  
29 mail or deliver the application to the department within ten  
30 days of the date of purchase. The application shall contain the



1 names and addresses of any lienholders in order of priority, the  
2 amounts and the dates of the security agreements, and be  
3 assigned by the dealer to the owner and signed by the owner. Any  
4 dealer violating this subsection is guilty of a summary offense  
5 and shall, upon conviction, be sentenced to pay a fine of \$50  
6 for each violation.

7 (e) Out-of-state vehicles.--If the application refers to a  
8 vehicle last previously titled or registered in another state or  
9 country, the following information shall be contained in or  
10 accompany the application or be forwarded in support of the  
11 application as required by the department:

12 (1) Any certificate of title issued by the other state  
13 or country.

14 (2) A tracing of the vehicle identification number taken  
15 from the official number plate or, where it is impossible to  
16 secure a legible tracing, the verification of a person  
17 authorized by the department that the vehicle identification  
18 number of the vehicle has been inspected and found to conform  
19 to the description given in the application.

20 (3) Any other information and documents the department  
21 reasonably requires to establish the ownership of the vehicle  
22 and the existence or non-existence of security interests in  
23 the vehicle.

24 (f) Foreign vehicles owned by military personnel.--If the  
25 application refers to a vehicle last previously registered in  
26 another country by a person on active duty in the armed forces  
27 of the United States, the department may accept a complete form  
28 issued by the United States Department of Defense as evidence of  
29 ownership.

30 (g) Specially constructed or reconstructed vehicles.--If the

1 vehicle to be titled is a specially constructed or reconstructed  
2 vehicle, that fact shall be stated in the application. The  
3 department may promulgate rules and regulations pertaining to  
4 the titling of specially constructed or reconstructed vehicles.

5 § 1104. Examination of records upon receipt of application.

6 The department, upon receiving an application for a  
7 certificate of title, shall check the vehicle identification  
8 number shown in the application against the records of vehicles  
9 required to be maintained under section 1105 (relating to  
10 issuance of certificate of title) and against the record of  
11 stolen vehicles required to be maintained under section 7114  
12 (relating to records of stolen vehicles). If the record  
13 indicates that the vehicle is stolen, the application and  
14 accompanying documents ~~shall~~ MAY be retained by the department <—  
15 pending investigation.

16 § 1105. Issuance of certificate of title.

17 (a) General rule.--The department shall file each  
18 application received and, when satisfied as to the genuineness  
19 and regularity of the application and that the applicant is  
20 entitled to the issuance of a certificate of title, shall issue  
21 a certificate of title for the vehicle. The department shall use  
22 reasonable diligence in ascertaining whether or not the facts  
23 stated in the application are true.

24 (b) Maintenance of records.--The department shall maintain a  
25 record of all certificates of title issued by the department as  
26 follows:

27 (1) Under a distinctive title number assigned to the  
28 vehicle.

29 (2) Under the vehicle identification number.

30 (3) Alphabetically, under the name of the owner.

1           (4) In the discretion of the department, by any other  
2       method determined by the department.

3   § 1106. Content and effect of certificate of title.

4       (a) Vehicle identification and encumbrances.--A certificate  
5       of title shall contain such description and other evidence of  
6       identification of the vehicle for which it is issued as the  
7       department may deem necessary, together with a statement of any  
8       liens or encumbrances including the names and addresses of the  
9       holder or holders of the liens or encumbrances.

10      (b) Indication of special prior use.--No person shall assign  
11      a certificate of title to any vehicle having seating capacity  
12      for nine or less occupants which has been used as a taxicab or  
13      for the carrying of passengers for hire ~~or has ever been offered~~ <—  
14      ~~to the public for hire or rent~~, or any vehicle used as a police  
15      car, unless the certificate clearly contains notice that the  
16      vehicle has been so used. Indication of such use shall be deemed  
17      part of the description of the vehicle. Any person violating  
18      this subsection is guilty of a summary offense and shall, upon  
19      summary conviction, be sentenced to pay a fine of \$50.

20      (c) Certificate as evidence and notice.--A certificate of  
21      title issued by the department is prima facie evidence of the  
22      facts appearing on the certificate. The certificate shall be  
23      adequate notice to the Commonwealth, creditors, subsequent  
24      lienholders and purchasers that a lien against the vehicle  
25      exists.

26   § 1107. Delivery of certificate of title.

27       The certificate of title shall be mailed to the first  
28      lienholder or encumbrancer named in the certificate or, if none,  
29      to the owner.

30   § 1108. Registration without certificate of title ~~or with bond~~. <—

1     ~~(a) General rule.~~—If the department is not satisfied as to     <—  
2     the ownership of the vehicle or that there are no undisclosed  
3     security interests in the vehicle, the department may register  
4     the vehicle but shall ~~do one of the following:~~     <—

5         ~~(1) Withhold~~ WITHHOLD issuance of a certificate of title     <—  
6         until the applicant presents documents reasonably sufficient  
7         to satisfy the department as to the ownership by the  
8         applicant of the vehicle and that there are no undisclosed  
9         security interests in the vehicle.

10        ~~(2) As a condition of issuing a certificate of title,~~     <—  
11        ~~require the applicant to file with the department a bond in~~  
12        ~~the form prescribed by the department and executed by the~~  
13        ~~applicant, and either accompanied by the deposit of cash with~~  
14        ~~the department or also executed by a person authorized to~~  
15        ~~conduct a surety business in this Commonwealth.~~

16        ~~(b) Conditions and disposition of bond. The bond shall be~~  
17        ~~in an amount equal to one and one half times the value of the~~  
18        ~~vehicle as determined by the department and conditioned to~~  
19        ~~indemnify any prior owner and lienholder and any subsequent~~  
20        ~~purchaser of the vehicle or person acquiring any security~~  
21        ~~interest in the vehicle, and their respective successors in~~  
22        ~~interest, against any expense, loss or damage, including~~  
23        ~~reasonable attorney's fees, by reason of the issuance of the~~  
24        ~~certificate of title of the vehicle or on account of any defect~~  
25        ~~in or undisclosed security interest upon the right, title and~~  
26        ~~interest of the applicant in and to the vehicle. Any such~~  
27        ~~interested person has a right of action to recover on the bond~~  
28        ~~for any breach of the conditions of the bond, but the aggregate~~  
29        ~~liability of the surety to all persons shall not exceed the~~  
30        ~~amount of the bond. The bond, and any deposit accompanying the~~

~~1 bond, shall be returned at the end of three years or prior~~  
~~2 thereto if the vehicle is no longer registered in this~~  
~~3 Commonwealth and the currently valid certificate of title is~~  
~~4 surrendered to the department, unless the department has been~~  
~~5 notified of the pendency of an action to recover on the bond.~~

6 § 1109. Refusing issuance of certificate of title.

7 The department may refuse issuance of a certificate of title  
8 when it has reasonable grounds to believe:

9 (1) That any required fee has not been paid.

10 (2) That any taxes payable under the laws of this  
11 Commonwealth on or in connection with, or resulting from, the  
12 acquisition or use of the vehicle have not been paid.

13 (3) That the applicant is not the owner of the vehicle.

14 (4) That the application contains a false or fraudulent  
15 statement.

16 (5) That the applicant has failed to furnish required  
17 information or documents or any additional information the  
18 department reasonably requires.

19 § 1110. Duplicate certificate of title to replace original.

20 (a) Application for duplicate.--In the event of a lost,  
21 destroyed, defaced, stolen or illegible certificate of title,  
22 application for a duplicate may be made by furnishing  
23 information satisfactory to the department upon a form  
24 prescribed and furnished by the department. The form shall be  
25 signed by the first lienholder or, if none, the owner or legal  
26 representative of the owner, verified by oath or affirmation of  
27 the applicant, accompanied by the fee provided in this title.

28 (b) Status of original and duplicate.--If the original  
29 certificate of title is found after the duplicate is issued, the  
30 original title shall be returned to the department with an

1 explanation. Only the duplicate title is valid once issued.  
2 Subsequent transfer of ownership can be made only on the  
3 duplicate.

4 § 1111. Transfer of ownership of vehicle.

5 (a) Duty of transferor.--In the event of the sale or  
6 transfer of the ownership of a vehicle within this Commonwealth,  
7 the owner shall execute an assignment and warranty of title to  
8 the transferee in the space provided on the certificate or as  
9 the department prescribes, sworn to before a notary public or  
10 other officer empowered to administer oaths, and deliver the  
11 certificate to the transferee at the time of the delivery of the  
12 vehicle.

13 (b) Duty of transferee.--Except as otherwise provided in  
14 section 1113 (relating to transfer to or from manufacturer or  
15 dealer), the transferee shall, with ten days of the assignment  
16 or reassignment of the certificate of title, apply for a new  
17 title by presenting to the department the properly completed  
18 certificate of title, sworn to before a notary public or other  
19 officer empowered to administer oaths, and accompanied by such  
20 forms as the department may require.

21 (c) PENALTY.--Any person violating subsection (a) shall be <—  
22 guilty of a summary offense and shall, upon conviction, be  
23 sentenced to pay a fine of \$100 for a first offense; and shall  
24 be guilty of a misdemeanor of the third degree for a second or  
25 subsequent offense and shall, upon conviction, be sentenced to  
26 pay a fine of not less than \$300.

27 § 1112. Disclosure of odometer reading and tampering with  
28 odometer.

29 (a) Statement by transferor of odometer reading.--Each  
30 transferor of a motor vehicle shall furnish to the transferee at

1 the time of transfer a written statement disclosing the odometer  
2 reading of the vehicle at the time of transfer and the date of  
3 the transfer. The statement shall be signed by the transferor on  
4 such form as the department may prescribe.

5 (b) Statement when actual mileage unknown.--If the  
6 transferor knows that the odometer reading differs from the  
7 number of miles the vehicle has actually traveled, and that the  
8 difference is greater than that caused by odometer calibration  
9 error, the transferor shall include a statement that the actual  
10 vehicle mileage is unknown.

11 (c) Tampering with odometer.--Except for purposes of repair  
12 or replacement, it is unlawful for any person to disconnect,  
13 turn back, tamper with or reset an odometer of any motor  
14 vehicle.

15 (d) Exceptions.--The transferor of the following types of  
16 motor vehicles need not disclose the odometer reading of the  
17 vehicle:

18 (1) A motor vehicle having a gross vehicle weight rating  
19 of more than 16,000 pounds.

20 (2) A motor vehicle 25 years or older.

21 (3) A motor vehicle transferred between dealers prior to  
22 first retail sale.

23 (e) Penalties.--Any person violating subsection (a) or (b)  
24 is guilty of a summary offense and shall, upon conviction, be  
25 sentenced to pay a fine of \$100. Any person violating subsection  
26 (c) is guilty of a summary offense and shall, upon conviction,  
27 be sentenced to pay a fine of \$300.

28 § 1113. Transfer to or from manufacturer or dealer.

29 (a) Transfer to manufacturer or dealer.--When the purchaser  
30 or transferee of a vehicle is a manufacturer or registered

1 dealer who holds the vehicle for resale, a certificate of title  
2 need not be applied for as provided for in section 1111  
3 (relating to transfer of ownership of vehicle) but the  
4 manufacturer or dealer shall, within ten days from the date of  
5 assignment of the certificate of title to the manufacturer or  
6 dealer, notify the department, upon a form prescribed and  
7 furnished by the department, of the acquisition of the vehicle.

8 ~~When the transfer of a vehicle is from one manufacturer or~~ <—  
9 ~~dealer to another manufacturer or dealer, notification~~

10 NOTIFICATION as authorized in this section may not be used in <—  
11 excess of three consecutive transactions after which time an  
12 application shall be made for a certificate of title.

13 (b) Execution and display of notice of transfer.--The  
14 manufacturer or dealer making notification as to any vehicle  
15 acquired pursuant to subsection (a) shall execute at least three  
16 copies, the original of which shall be forwarded to the  
17 department, one copy to accompany the vehicle on any subsequent  
18 transfer and one copy to be retained by the manufacturer or  
19 dealer for at least one year after a subsequent transfer, to be  
20 exhibited, with the assigned certificate of title, upon request  
21 of any police officer or authorized department employee.

22 (c) Transfer from manufacturer or dealer.--The manufacturer  
23 or dealer, upon transferring his interest in the vehicle, shall,  
24 except as otherwise provided in this section when the transferee  
25 is another manufacturer or dealer, execute an assignment and  
26 warranty of title to the transferee in the space provided on the  
27 certificate or as the department prescribes. The transferee  
28 shall complete the application for certificate of title in the  
29 name of the transferee. The certificate of title and any other  
30 required forms shall be forwarded by the dealer or manufacturer



1 to the department within ten days of the transfer.

2 (d) Exception for repossessed vehicles.--This section does  
3 not apply to a vehicle repossessed upon default of performance  
4 of a lease, contract of conditional sale or similar agreement.

5 (e) Penalty.--Any manufacturer or dealer violating any of  
6 the provisions of this section is guilty of a summary offense  
7 and shall, upon conviction, be sentenced to pay a fine of \$50  
8 for each violation.

9 § 1114. Transfer of vehicle by operation of law.

10 (a) General rule.--If the interest of an owner in a vehicle  
11 passes to another other than by voluntary transfer, the  
12 transferee shall, except as otherwise provided, promptly mail or  
13 deliver to the department the last certificate of title, if  
14 available, and shall apply for a new certificate of title on a  
15 form prescribed and furnished by the department. The application  
16 shall be accompanied by such instruments or documents of  
17 authority, or certified copies thereof, as may be sufficient or  
18 required by law to evidence or effect a transfer of title or  
19 interest in or to chattels in such case.

20 (b) Transfer to surviving spouse.--Transfer of a certificate  
21 of title to a surviving spouse, or any person designated by the  
22 spouse, may be made without the necessity of filing for letters  
23 of administration notwithstanding the fact that there are minor  
24 children surviving the decedent provided the surviving spouse  
25 files an affidavit that all the debts of the decedent have been  
26 paid.

27 (c) Surrender of certificate.--A person holding a  
28 certificate of title whose interest in a vehicle has been  
29 extinguished or transferred other than by voluntary transfer  
30 shall immediately surrender the certificate of title to the

1 person to whom the right to possession of the vehicle has  
2 passed. Upon request of the department, such person shall mail  
3 or deliver the certificate to the department. Delivery of the  
4 certificate pursuant to the request of the department does not  
5 affect the rights of the person surrendering the certificate.

6 § 1115. Correction of certificate of title.

7 (a) General rule.--When any certificate of title has been  
8 issued in error to a person not entitled to the certificate or  
9 contains incorrect information or information has been omitted  
10 from the certificate, the department shall notify in writing the  
11 person to whom the certificate has been issued or delivered and  
12 such person shall immediately return the certificate of title  
13 within 48 hours, together with any other information necessary  
14 for the adjustment of the department records, and, upon receipt  
15 of the certificate, the department shall cancel the certificate  
16 and issue a corrected certificate of title.

17 (b) Change in material information on certificate.--If any  
18 material information on the certificate of title is changed or  
19 different from the information originally set forth, the owner  
20 shall immediately inform the department and apply for a  
21 corrected certificate of title. For the purposes of this  
22 subsection, a change of address shall not be deemed material.

23 (c) Seizure of certificate on conviction.--Upon summary  
24 conviction for violation of the provisions of this section, the  
25 department may delegate authority to any department employee or  
26 police officer to seize the certificate of title.

27 § 1116. Issuance of new certificate following transfer.

28 (a) Voluntary transfer.--The department, upon receipt of a  
29 properly assigned certificate of title with an application for a  
30 new certificate of title, the required fee and any other

1 required documents and articles, shall issue a new certificate  
2 of title in the name of the transferee as owner and mail it to  
3 the first lienholder named in the certificate or, if none, to  
4 the owner.

5 (b) Involuntary transfer.--The department, upon receipt of  
6 an application for a new certificate of title by a transferee  
7 other than by voluntary transfer, on a form prescribed and  
8 furnished by the department together with proper proof  
9 satisfactory to the department of the transfer, the required fee  
10 and any other required documents and articles, shall issue a new  
11 certificate of title in the name of the transferee as owner.

12 (c) Filing and retention of surrendered certificate.--The  
13 department shall file and retain for five years every  
14 surrendered certificate of title, or a copy, in such a manner as  
15 to permit the tracing of title of the vehicle.

16 § 1117. Vehicle destroyed or junked.

17 (a) Application for certificate of junk.--Any owner who  
18 transfers a vehicle as scrap, or to be destroyed or junked,  
19 shall assign the certificate of title to the person to whom the  
20 vehicle is transferred. The transferee shall return the assigned  
21 certificate of title to the department immediately with an  
22 application for a certificate of junk upon a form furnished and  
23 prescribed by the department.

24 (b) Issuance and effect of certificate of junk.--Upon proper  
25 application for a certificate of junk, the department shall  
26 issue to the transferee a certificate of junk which shall  
27 authorize the holder to possess, transport, or by endorsement,  
28 transfer ownership in the junked vehicle, and a certificate of  
29 title shall not again be issued for the vehicle except upon  
30 application containing the information the department requires,

1 accompanied by any necessary documents or articles.

2 (c) Vehicles with defective or lost title.--Any person on  
3 whose property is located a vehicle which is valueless except  
4 for junk and which has a faulty, lost or destroyed title may  
5 transfer the vehicle to a salvor or to a salvage program  
6 operated by a political subdivision for removal to a suitable  
7 place of storage or for scrapping, provided the salvor or  
8 salvage program complies with the requirements of section 7309  
9 (relating to junking of vehicles valueless except for junk),  
10 except that the report to the department that the vehicle is  
11 valueless except for junk shall be verified by the transferor of  
12 the vehicle instead of the police department. The transferee  
13 shall return the assigned certificate of title to the department  
14 immediately with an application for certificate of junk upon a  
15 form furnished and prescribed by the department.

16 § 1118. Suspension and cancellation of certificate of title.

17 (a) Return of new vehicle.--The department may cancel the  
18 certificate of title issued for a new vehicle when it is shown  
19 by satisfactory evidence that the vehicle has been returned to  
20 the manufacturer or dealer from whom obtained.

21 (b) Vehicles sold to nonresidents or junked.--The department  
22 may cancel certificates of title for vehicles sold to residents  
23 of other states or foreign countries when the vehicle is to be  
24 registered in the other jurisdiction, or for abandoned or  
25 destroyed vehicles authorized to be junked as provided in this  
26 subchapter.

27 (c) Surrender of Pennsylvania certificate in other  
28 jurisdiction.--The department, upon receipt of notification from  
29 another state or foreign country that a certificate of title  
30 issued by the department has been surrendered by the owner in

1 conformity with the laws of the other state or foreign country,  
2 may cancel the certificate of title.

3 (d) Surrender of foreign certificate to department.--When an  
4 owner surrenders a certificate of title from another state or  
5 foreign country to the department, the department shall notify  
6 the state or foreign country in order that the certificate of  
7 title may be cancelled or otherwise disposed of in accordance  
8 with the law of the other jurisdiction.

9 (e) Conviction for misstatement of facts.--The department,  
10 upon receipt of certification from the clerk of any court  
11 showing conviction for a misstatement of facts on any  
12 application for an original or duplicate certificate of title or  
13 any transfer of a certificate of title, shall ~~forthwith~~ suspend <—  
14 the certificate of title and require that the certificate be  
15 returned immediately to the department, whereupon the department  
16 may cancel the certificate.

17 (f) Nonpayment of fee.--The department may suspend a  
18 certificate of title when a check received in payment of the fee  
19 is not paid on demand or when the fee for the certificate is  
20 unpaid and owing.

21 (g) Security interest unaffected by suspension or  
22 cancellation.--Suspension or cancellation of a certificate of  
23 title does not, in itself, affect the validity of a security  
24 interest noted on the certificate.

25 (h) Surrender of certificate.--The department may request  
26 the return of certificates of title which have been suspended or  
27 cancelled. The owner or person in possession of the  
28 certification of title shall immediately mail or deliver the  
29 certificate to the department.

30 § 1119. Application for certificate of title by agent.

1 (a) Authorization to make application.--No person shall make  
2 application for a certificate of title when acting for another  
3 person unless authorization to make the application is in effect  
4 and is verified by oath or affirmation of the other person, made  
5 not more than 15 days before the application is received by the  
6 department.

7 (b) Certificate not to be assigned in blank.--No person  
8 shall make application for, or assign or physically possess, a  
9 certificate of title, or direct or allow another person in his  
10 employ or control to make application for, or assign or  
11 physically possess, a certificate of title, unless the name of  
12 the transferee is placed on the assignment of certificate of  
13 title simultaneously with the name of the transferor.

14 (c) Persons authorized to hold certificate.--No person shall  
15 receive, obtain or hold a certificate of title recorded in the  
16 name of another person for the other person who is not in the  
17 regular employ of, or not a member of the family of, the other  
18 person, unless the person receiving, obtaining or holding the  
19 certificate of title has a valid undischarged lien recorded in  
20 the department against the vehicle represented by the  
21 certificate of title.

22 (d) Penalty.--Any person violating any of the provisions of  
23 this section is guilty of a summary offense and shall, upon  
24 conviction, be sentenced to pay a fine of \$100.

## 25 SUBCHAPTER B

### 26 SECURITY INTERESTS

27 Sec.

28 1131. Applicability of subchapter.

29 1132. Perfection of security interest.

30 1133. Creation of security interest for titled vehicle.

1 1134. Assignment by lienholder of security interest.

2 1135. Satisfaction of security interest.

3 1136. Duty of lienholder to disclose pertinent information.

4 1137. Subchapter exclusive for perfecting security interest.

5 1138. Duration of lien recorded on certificate of title.

6 § 1131. Applicability of subchapter.

7 This subchapter does not apply to or affect:

8 (1) A lien given by statute or rule of law to a supplier  
9 of services or materials for the vehicle.

10 (2) A lien given by statute to the United States, the  
11 Commonwealth or any political subdivision.

12 (3) A security interest in a vehicle created by a  
13 manufacturer or dealer who holds the vehicle for sale.

14 (4) Any vehicle for which a certificate of title is not  
15 required under this chapter.

16 § 1132. Perfection of security interest.

17 (a) Validity of unperfected interest.--Unless excepted by  
18 section 1131 (relating to applicability of subchapter), a  
19 security interest in a vehicle of a type for which a certificate  
20 of title is required is not valid against creditors of the owner  
21 or subsequent transferees or lienholders of the vehicle unless  
22 perfected as provided in this subchapter.

23 (b) Method and time of perfection.--A security interest is  
24 perfected by the delivery to the department of the existing  
25 certificate of title, if any; an application for a certificate  
26 of title upon a form prescribed by the department containing the  
27 name and address of the lienholder; and any other information  
28 regarding the security interest as may be reasonably required  
29 and the required fee. It is perfected as of the time of its  
30 creation if the delivery is completed within ten days

1 thereafter; otherwise as of the time of the delivery.

2 (c) Prior security interest in vehicle from another  
3 jurisdiction.--If a vehicle is subject to a security interest  
4 when brought into this Commonwealth, the validity of the  
5 security interest is determined by the law of the jurisdiction  
6 where the vehicle was located when the security interest  
7 attached subject to the following:

8 (1) If the parties understood at the time the security  
9 interest attached that the vehicle would be kept in this  
10 Commonwealth and it was brought into this Commonwealth within  
11 30 days thereafter for purposes other than transportation  
12 through this Commonwealth, the validity of the security  
13 interest in this Commonwealth is determined by the law of  
14 this Commonwealth.

15 (2) If the security interest was perfected under the law  
16 of the jurisdiction where the vehicle was located when the  
17 security interest attached, the following rules apply:

18 (i) If the name of the lienholder is shown on an  
19 existing certificate of title issued by the jurisdiction,  
20 the security interest continues perfected in this  
21 Commonwealth.

22 (ii) If the name of the lienholder is not shown on  
23 an existing certificate of title issued by that  
24 jurisdiction, the security interest continues perfected  
25 in this Commonwealth for four months after a first  
26 certificate of title of the vehicle is issued in this  
27 Commonwealth, and, thereafter if, within the four-month  
28 period, it is perfected in this Commonwealth. The  
29 security interest may also be perfected in this  
30 Commonwealth after the expiration of the four-month



1           period in which case perfection dates from the time of  
2           perfection in this Commonwealth.

3           (3) If the security interest was not perfected under the  
4           law of the jurisdiction where the vehicle was located when  
5           the security interest attached, it may be perfected in this  
6           Commonwealth in which case perfection dates from the time of  
7           perfection in this Commonwealth.

8           (4) A security interest may be perfected under paragraph  
9           (2)(ii) or paragraph (3) either as provided in subsection (b)  
10          or by the lienholder delivering to the department a notice of  
11          security interest in the form the department prescribes  
12          together with the required fee.

13 § 1133. Creation of security interest for titled vehicle.

14          (a) Application by owner.--If an owner creates a security  
15          interest in a vehicle for which a certificate of title has been  
16          issued by the Commonwealth, the owner shall immediately execute  
17          an application on a form prescribed by the department, naming  
18          the lienholder on the certificate, showing the name and address  
19          of the lienholder and the date of the security agreement. The  
20          certificate of title, together with the application and the  
21          required fee, shall be mailed or delivered to the department.

22          (b) Where certificate is in possession of lienholder.--Upon  
23          request of the owner or subordinate lienholder, a lienholder in  
24          possession of the certificate of title shall mail or deliver the  
25          certificate to the department or, upon receipt from the  
26          subordinate lienholder of the application of the owner and the  
27          required fee, mail or deliver them to the department with the  
28          certificate. The delivery of the certificate does not affect the  
29          rights of the first lienholder under his security agreement.

30          (c) Endorsement and delivery of certificate.--Upon receipt

1 of the certificate of title, application and the required fees,  
2 the department shall endorse on the existing certificate of  
3 title, or on a new certificate which it then issues, the name  
4 and address of all secured parties and shall mail the  
5 certificate of title to the first lienholder named in the  
6 certificate.

7 § 1134. Assignment by lienholder of security interest.

8 (a) General rule.--A lienholder may assign, absolutely or  
9 otherwise, his security interest in the vehicle to a person  
10 other than the owner without affecting the interest of the owner  
11 or the validity of the security interest but any person without  
12 notice of the assignment is protected in dealing with the  
13 lienholder as the holder of the security interest and the  
14 lienholder remains liable for any obligations as lienholder  
15 until the assignee is named as lienholder on the certificate.

16 (b) Duty of assignee.--The assignee shall deliver to the  
17 department the certificate of title and an assignment by the  
18 lienholder named in the certificate of title on a form  
19 prescribed and furnished by the department and accompanied by  
20 the required fee.

21 § 1135. Satisfaction of security interest.

22 (a) Absence of subsequent liens.--Where there are no  
23 subsequent liens upon a vehicle, the following rules apply upon  
24 the satisfaction of a security interest in the vehicle:

25 (1) The outstanding certificate of title shall be mailed  
26 or delivered immediately to the owner of the vehicle with  
27 proper evidence of satisfaction and release or the lienholder  
28 may apply for corrected title to be issued in the name of the  
29 owner.

30 (2) The owner may mail or deliver the certificate of

1 title with proper evidence of satisfaction of the security  
2 interest to the department which shall issue a corrected  
3 certificate of title without a statement of liens or  
4 encumbrances. The corrected certificate of title may also be  
5 issued when the outstanding certificate cannot be returned  
6 and proper evidence is produced that all recorded security  
7 interests have been satisfied.

8 (b) Prior or subsequent liens.--Where there are subsequent  
9 liens upon a vehicle or the lien to be released is not a first  
10 lien, the following rules apply upon the satisfaction of a  
11 security interest in the vehicle:

12 (1) If the lienholder whose security interest is  
13 satisfied has possession of the certificate of title, the  
14 lienholder shall mail or deliver the certificate of title,  
15 immediately upon satisfaction, to the department with proper  
16 evidence of satisfaction and release of the security  
17 interest. A corrected certificate of title, containing a  
18 statement of the remaining security interests on record,  
19 shall be mailed by the department to the person holding the  
20 next lien upon the vehicle.

21 (2) Upon the satisfaction of a security interest in a  
22 vehicle for which the certificate of title is in the  
23 possession of a prior lienholder, the lienholder whose  
24 security interest is satisfied shall, immediately upon  
25 satisfaction, mail or deliver to the owner proper evidence of  
26 the satisfaction and release of the security interest. Upon  
27 request of the owner and receipt of the release, the  
28 lienholder in possession of the certificate of title shall  
29 mail or deliver the certificate of title together with the  
30 release to the department. The department shall issue a

corrected certificate of title which shall be mailed to the first lienholder.

(c) Penalties.--

(1) Any person failing to deliver upon demand a satisfied certificate of title as required by subsection (a)(1) is guilty of a summary offense and shall, upon conviction, for a first offense be sentenced to pay a fine of \$50 and for a subsequent offense be sentenced to pay a fine of \$100.

(2) Any person failing to return to the department a certificate of title where there are other liens, for correction and delivery, as required by subsection (b) is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$100.

(3) No person shall be deemed guilty of a violation of this section if the person delivers the certificate of title to the department within five days of the satisfaction of the lien.

§ 1136. Duty of lienholder to disclose pertinent information.

A lienholder named in a certificate of title shall, upon written request of the owner or of another lienholder named on the certificate, disclose any pertinent information as to the security agreement and the indebtedness secured by the agreement.

§ 1137. Subchapter exclusive for perfecting security interest.

The method provided in this subchapter for perfecting and giving notice of security interests is exclusive.

§ 1138. Duration of lien recorded on certificate of title.

(a) General rule.--A security interest recorded on a certificate of title is effective for a period of five years

1 dating from the time of perfection as provided for in this  
2 subchapter.

3 (b) Renewal of lien.--The effectiveness of a lien recorded  
4 on the certificate of title lapses on the expiration of the  
5 periods specified in subsection (a) unless a continuation  
6 statement is filed within the six months immediately preceding  
7 expiration. The lien may be renewed for as many one-year periods  
8 as may be necessary by the holder of the security interest upon  
9 a form furnished by the department, signed by the secured party  
10 and accompanied by the fee provided in this title.

11 (c) Corrected certificate when lien expires.--A corrected  
12 certificate of title without a statement of liens or  
13 encumbrances shall be issued by the department, upon the request  
14 of the owner, when the security interests recorded on the  
15 certificate of title have expired.

## 16 CHAPTER 13

### 17 REGISTRATION OF VEHICLES

#### 18 Subchapter

##### 19 A. General Provisions

##### 20 B. Registration Plates

##### 21 C. Violations and Suspensions

#### 22 SUBCHAPTER A

#### 23 GENERAL PROVISIONS

##### 24 Sec.

25 1301. Driving unregistered vehicle prohibited.

26 1302. Vehicles subject to registration.

27 1303. Vehicles of nonresidents exempt from registration.

28 1304. Registration criteria.

29 1305. Application for registration.

30 1306. Grounds for refusing registration.

- 1 1307. Period of registration.
- 2 1308. Issuance of registration card.
- 3 1309. Renewal of registration.
- 4 1310. Temporary registration cards ~~and plates~~. <—
- 5 1311. Registration card to be signed and exhibited on demand.
- 6 1312. Notice of change of name or address.
- 7 1313. Duplicate registration cards.
- 8 1314. TRANSFER OF REGISTRATION. <—
- 9 ~~1314~~ 1315. Operation of vehicle following death of owner. <—
- 10 ~~1315~~ 1316. Department records. <—
- 11 ~~1316~~ 1317. Sale of copies of registrations and statistics. <—

12 § 1301. Driving unregistered vehicle prohibited.

13 It is a summary offense for any person to drive or for an  
14 owner knowingly to permit to be driven upon any highway any  
15 vehicle of a type required to be registered under this chapter  
16 which is not registered or for which the appropriate fee has not  
17 been paid when and as required in this title.

18 § 1302. Vehicles subject to registration.

19 (a) General rule.--No vehicle shall be operated upon any  
20 highway in this Commonwealth until the vehicle is properly  
21 registered with the department as provided in this chapter.

22 (b) Exceptions.--Subsection (a) does not apply to the  
23 following:

24 (1) Any vehicle in conformance with the provisions of  
25 this chapter relating to dealers, persons registered under  
26 any of the miscellaneous motor vehicle business classes or  
27 nonresidents.

28 (2) Any implement of husbandry.

29 (3) Any self-propelled golf car used for the  
30 transportation of persons engaged in the game of golf while

1 crossing any public highway during any game of golf.

2 (4) Any vehicle moved by special permit as provided for  
3 in sections 4965 (relating to single permits for multiple  
4 highway crossings) and 4966 (relating to permit for movement  
5 of quarry equipment).

6 (5) Any vehicle registered and displaying plates issued  
7 in a foreign country by the armed forces of the United States  
8 for a period of 45 days from the date of the return of the  
9 owner to the United States.

10 (6) Any vehicle owned by a resident legally required to  
11 be registered in another state based and used principally  
12 outside of this Commonwealth.

13 (7) Any vehicle moved solely by animal power.

14 (8) Any self-propelled invalid wheel chair.

15 (9) Any mobile home.

16 (c) Certificate of title required.--No vehicle shall be  
17 registered ~~until~~ UNLESS a certificate of title has been <—  
18 obtained, ~~as~~ IF ONE IS required by Chapter 11 (relating to <—  
19 certificate of title and security interests).

20 § 1303. Vehicles of nonresidents exempt from registration.

21 (a) General rule.--A nonresident owner of any foreign  
22 vehicle may operate or permit the operation of the vehicle  
23 within this Commonwealth without registering the vehicle in this  
24 Commonwealth or paying any fees to the Commonwealth, provided  
25 the vehicle at all times when operated in this Commonwealth is  
26 duly registered and in full compliance with the registration  
27 requirements of the place of residence of the owner and further  
28 provided the vehicle is not:

29 (1) used for the transportation of persons for hire,  
30 compensation or profit;

1           (2) regularly operated in carrying on business within  
2     this Commonwealth;

3           (3) designed, used or maintained primarily for the  
4     transportation of property for hire, compensation or profit;  
5     or

6           (4) special mobile equipment if not also required to be,  
7     and actually, registered under the laws of the place of  
8     residence of the owner.

9     (b) Transportation of persons for hire, compensation or  
10  profit.--Every owner of a foreign vehicle operated within this  
11  Commonwealth for the transportation of persons for hire,  
12  compensation or profit either regularly according to schedule or  
13  for a period exceeding 30 days in the calendar year, unless  
14  exempted from registration under the terms of a reciprocity  
15  agreement, shall register the vehicle according to the laws of  
16  this Commonwealth.

17     (c) Carrying on business in this Commonwealth.--Every  
18  nonresident, including any foreign corporation, carrying on  
19  business within this Commonwealth and operating in the business  
20  any vehicle within this Commonwealth, unless exempted from  
21  registration under the terms of a reciprocity agreement, shall  
22  be required to register each such vehicle according to the laws  
23  of this Commonwealth.

24     (d) Members of armed forces.--A member of the armed forces  
25  of the United States who is serving on active duty in this  
26  Commonwealth need not register a personal passenger vehicle in  
27  this Commonwealth if the vehicle is registered in the state of  
28  his residence.

29     (e) Trailer as part of registered combination.--Any motor  
30  vehicle registered as a combination in this Commonwealth may tow



1 a trailer registered in another state provided:

2 (1) the owner has as many trailers registered in this  
3 Commonwealth as combinations so registered; or

4 (2) the towing vehicle is being operated under a  
5 permanent lease to a person meeting the requirements of  
6 paragraph (1).

7 § 1304. Registration criteria.

8 (A) GENERAL RULE.--EXCEPT AS OTHERWISE PROVIDED IN THIS  
9 SECTION, VEHICLE SHALL BE REGISTERED FOR A FLAT FEE. <—

10 ~~(a) General rule.~~ (B) CLASSIFICATION OF VEHICLES.--The <—  
11 department may identify vehicles by type as to weight, design,  
12 loading, use, ownership or other significant characteristics for  
13 purposes of registration.

14 ~~(b) Passenger cars. Passenger cars, ambulances, hearses,~~ <—  
15 ~~taxis and similar vehicles shall be registered for a flat fee,~~  
16 ~~regardless of weight.~~

17 (c) Trucks, truck-tractors and trailers.--The department  
18 shall register trucks, truck-tractors and trailers at the gross  
19 weight requested by the applicant, provided that the weight is  
20 not greater than allowed in subsection (d) or less than allowed  
21 in subsection (e).

22 (d) Maximum registered gross weight.--No truck, truck-  
23 tractor or trailer shall be registered at a gross weight in  
24 excess of:

25 (1) the limiting weights established on the basis of  
26 axle load, tire load, horse power or gross weight by type of  
27 vehicles;

28 (2) the gross vehicle weight rating assigned by the  
29 manufacturer; or

30 (3) a combination weight greater than the gross

1 combination weight rating.

2 In the case of a vehicle in which no gross vehicle weight rating  
3 or gross combination weight rating is assigned by the  
4 manufacturer, an equivalent rating shall be determined by the  
5 department on the basis of the vehicle's horsepower, braking  
6 ability, axle limitations and such other factors related to safe  
7 operation as may be established by regulations of the  
8 department.

9 (e) Minimum registered gross weight.--No truck, truck-  
10 tractor or trailer shall be registered at less than the total of  
11 the weight of the unladen vehicle, the maximum weight of the  
12 proposed load, the equivalent weight of the fuel capacity, 150  
13 pounds times the seating capacity, and the weight of any  
14 permanently or temporarily attached appurtenances.

15 (f) Registered gross weight of trucks and truck-tractors.--  
16 Every truck shall have its own registered gross weight and may  
17 also be registered at a registered gross weight for a  
18 combination. Every truck-tractor shall be registered at a  
19 registered gross weight for a combination.

20 (g) Buses OTHER THAN SCHOOL BUSES.--The department shall <—  
21 register buses, ~~at the gross weight rating specified by the~~ <—  
22 ~~manufacturer or, in the absence of such rating, an equivalent~~  
23 ~~rating which shall be determined by the department in the manner~~  
24 ~~specified for trucks in subsection (d).~~ OTHER THAN SCHOOL BUSES, <—  
25 ON THE BASIS OF PASSENGER SEATING CAPACITY.

26 § 1305. Application for registration.

27 (a) Application for registration.--Application for the  
28 registration of a vehicle shall be made to the department upon  
29 the appropriate form or forms furnished by the department. The  
30 application shall contain the full name and address of the owner

1 or owners; the make, model, year and vehicle identification  
2 number of the vehicle; and such other information as the  
3 department may require. Applicants for registration of a truck,  
4 truck-tractor, trailer or bus shall provide the vehicle's Gross  
5 Vehicle Weight Rating (GVWR), or the Gross Combination Weight  
6 Rating (GCWR), as applicable. If the manufacturer's ratings are  
7 not available, the applicant shall provide sufficient  
8 information as to the horsepower, braking capacity and such  
9 other data as necessary for the department to determine an  
10 equivalent measure of the vehicle's hauling and stopping  
11 capability. If the applicant wishes to register a vehicle at a  
12 registered gross weight less than the gross vehicle weight  
13 rating, the application shall include information as to weight,  
14 load and any other such information as the department may  
15 require. The application shall be signed by the owner, if a  
16 natural person, or if the owner is a corporation, copartnership  
17 or association, by an executive officer or some person  
18 specifically authorized, in writing, by the owner, to sign the  
19 application, and shall be accompanied by the required fee.

20 (b) Evidence of P.U.C. approval for buses AND TAXIS.--Before <—  
21 registering any bus OR TAXI which is required under the laws of <—  
22 this Commonwealth to obtain a certificate of public convenience  
23 from the Pennsylvania Public Utility Commission, the department  
24 shall require evidence that the certificate has been issued and  
25 has not been revoked or has not expired.

26 (c) Designation of lessee as registrant.--The owner as  
27 lessor may designate the lessee as the registrant of the vehicle  
28 and the name and address of the lessee may be substituted on the  
29 registration card for the address of the lessor. The department  
30 shall designate the relationship upon the card in a manner it

1 deems appropriate.

2 § 1306. Grounds for refusing registration.

3 The department shall refuse registration and transfer of  
4 registration when any of the following circumstances exists:

5 (1) The applicant is not entitled to registration under  
6 the provisions of this chapter.

7 (2) The applicant has at registration or titling  
8 neglected or refused to furnish the department with the  
9 information required on the appropriate official form, or any  
10 reasonable additional information required by the department.

11 (3) The department has reasonable grounds to believe  
12 that the application contains false or fraudulent  
13 information, or that the vehicle is stolen, which fact the  
14 department shall ascertain by reference to the stolen vehicle  
15 file required to be maintained under section 7114 (relating  
16 to records of stolen vehicles), or that the granting of  
17 registration would constitute a fraud against the rightful  
18 owner or other person having a valid lien upon the vehicle.

19 (4) The fees required by law have not been paid.

20 (5) The vehicle is not constructed or equipped as  
21 required by this title.

22 (6) The registration of the vehicle stands suspended for  
23 any reason as provided for in this title.

24 § 1307. Period of registration.

25 (a) Staggered renewal system to be established.--The  
26 department shall establish a system of staggered registration  
27 renewal in a manner that some registrations will expire every  
28 month throughout the year.

29 (b) New registration.--A new registration is effective on  
30 the date of issuance of a registration card by the department or

1 the date of issuance of a temporary registration card by an  
2 authorized agent of the department under section 1310 (relating  
3 to temporary registration cards and plates). ~~if the vehicle~~ <—  
4 ~~bears a valid certificate of inspection as required under~~  
5 ~~section 4702 (relating to requirement for periodic inspection of~~  
6 ~~vehicles). If the vehicle has not been inspected prior to~~  
7 ~~registration, the registration shall be effective only upon~~  
8 ~~affixing a certificate of inspection. A new registration shall~~  
9 ~~expire on the last day of the month designated on the~~  
10 ~~registration card.~~

11 (c) Renewal of registration.--A renewed registration shall  
12 be effective on the ISSUANCE BY THE DEPARTMENT OF A RENEWED <—  
13 REGISTRATION CARD AND INSPECTION OF AND affixing of a  
14 certificate of inspection to the vehicle as provided in section  
15 4702 and shall expire on the last day of the month designated on <—  
16 the registration card. The department shall send an application  
17 for a renewal of registration to every registrant at least 60  
18 days prior to expiration of the current registration. (RELATING <—  
19 TO REQUIREMENT FOR PERIODIC INSPECTION OF VEHICLE).

20 ~~(d) Termination upon transfer of ownership.~~ <—

21 ~~(1) Registration shall terminate upon transfer of~~  
22 ~~ownership of a registered vehicle.~~

23 ~~(2) The transferee shall be entitled to re-register the~~  
24 ~~vehicle for the balance of the current registration period~~  
25 ~~without payment of a registration fee.~~

26 ~~(3) If the transferee does not re-register the vehicle,~~  
27 ~~the department shall refund or credit to the registrant a~~  
28 ~~portion of the registration fee determined by the department~~  
29 ~~to be attributable to the unused months of the registration~~  
30 ~~period.~~

~~(i) This paragraph applies only to registrations for which a permanent plate was issued and a registration fee paid.~~

~~(ii) In order to be eligible for a refund or credit a registrant whose permanent registration plate is not transferred with the vehicle shall return the registration plate to the department as required in section 1334(c) (relating to plate to remain on vehicle).~~

~~(iii) A registrant who registers a vehicle in another state is eligible for a refund or credit upon return of the registration plate which was issued for the vehicle.~~

~~(iv) The department shall publish schedules of refunds or credits for the various classes and types of registrations. The amount of each refund or credit shall be based on that portion of the applicable registration fee which is divisible by 12.~~

(D) EXPIRATION OF REGISTRATION.--A REGISTRATION SHALL EXPIRE <—  
ON THE LAST DAY OF THE MONTH DESIGNATED ON THE REGISTRATION  
CARD. THE DEPARTMENT SHALL SEND AN APPLICATION FOR RENEWAL OF  
REGISTRATION TO EVERY REGISTRANT AT LEAST 60 DAYS PRIOR TO  
EXPIRATION OF THE CURRENT REGISTRATION.

(e) Antique and classic vehicles.--Antique and classic motor  
vehicle registrations shall expire upon the junking, scrapping  
or transfer of ownership of the vehicle, except that if the  
transfer is between spouses or between parent and child the  
transferee may re-register the vehicle as an antique or classic <—  
motor vehicle without charge and may retain the previously  
issued antique or classic registration plate. REGISTRATION MAY <—  
BE TRANSFERRED UPON PAYMENT OF A TRANSFER FEE.

1 § 1308. Issuance of registration card.

2 (a) General rule.--The department, upon registering a  
3 vehicle, shall issue to the registrant a registration card which  
4 shall contain the registration number assigned to the vehicle,  
5 the name and address of the ~~owner~~ REGISTRANT AND THE NAME OF THE <—  
6 OWNER, IF OTHER THAN THE REGISTRANT, a description of the  
7 vehicle including the vehicle identification number, the  
8 expiration date, provision for the registrant to certify that  
9 the vehicle is currently covered by no-fault and liability  
10 insurance and such other information as may be determined by the  
11 department. The registration card shall be valid only upon  
12 affixing to the vehicle a certificate of inspection as provided  
13 in section 4702 (relating to requirement for periodic inspection  
14 of vehicles).

15 (b) Trucks.--The registration card for a truck shall  
16 indicate the registered gross weight of the truck, and the  
17 registered gross weight of the combination, if the truck is so  
18 registered, in addition to other information required.

19 (c) Truck-tractors.--The registration card for a truck-  
20 tractor shall indicate the registered gross weight of the  
21 combination in addition to other information required.

22 (d) Trailers.--The registration card for a trailer shall  
23 indicate the registered gross weight of the trailer in addition  
24 to other information required.

25 (e) Buses.--The registration card for a bus shall indicate  
26 the ~~registered gross weight~~ PASSENGER SEATING CAPACITY of the <—  
27 bus.

28 § 1309. Renewal of registration.

29 At least 60 days prior to the expiration of each  
30 registration, the department shall send to the registrant an

1 application for renewal of registration. Upon return of the  
2 application with the applicable fee, the department shall send  
3 to the registrant a renewed registration card which shall be  
4 valid only upon affixing to the vehicle a certificate of  
5 inspection as provided in section 4702 (relating to requirement  
6 for periodic inspection of vehicles).

7 § 1310. Temporary registration cards ~~and plates~~. <—

8 (a) General rule.--The department ~~may~~ SHALL provide <—  
9 temporary registration cards for use pending ~~issuance~~ OR <—  
10 TRANSFER of permanent registration cards. ~~The department may~~ <—  
11 ~~also provide temporary registration plates for use on vehicles~~  
12 ~~to be removed from this Commonwealth for registration in another~~  
13 ~~state~~. Temporary registration cards ~~and plates~~ may be delivered <—  
14 to designated agents who shall have the authority to issue them  
15 in accordance with regulations promulgated by the department.

16 (b) Duration.--Temporary registration cards shall be valid  
17 ~~until receipt by the owner of a permanent registration card, or~~ <—  
18 ~~the end of the inspection period indicated on the certificate of~~  
19 ~~inspection, whichever occurs first. Temporary plates shall~~  
20 ~~expire 30 days from date of issuance.~~ FOR SUCH PERIOD AS THE <—  
21 DEPARTMENT SHALL DESIGNATE.

22 (c) ~~Fees~~. CHARGES BY DESIGNATED AGENT.--A designated agent <—  
23 may not charge more than \$5 for issuing a temporary registration  
24 card including any notary charges. ~~No fee may be charged for~~ <—  
25 ~~issuing a temporary registration plate.~~

26 § 1311. Registration card to be signed and exhibited on demand.

27 (a) Signing card.--Upon receiving the registration card or  
28 any duplicate, the registrant shall enter the required  
29 information as to no-fault and liability insurance coverage and  
30 sign his name in the space provided.



1 (b) Carrying and exhibiting card.--Every registration card  
2 shall, at all times while the vehicle is being operated upon a  
3 highway, be in the possession of the person driving or in  
4 control of the vehicle or carried in the vehicle and shall be  
5 exhibited upon demand of any police officer.

6 (c) Production to avoid penalty.--No person ~~charged with~~ <—  
7 ~~violating this section~~ shall be convicted OF VIOLATING THIS <—  
8 SECTION OR SECTION 1302 (RELATING TO VEHICLES SUBJECT TO  
9 REGISTRATION) if the person produces at the office of the  
10 issuing authority or at the office of the arresting police  
11 officer within five days of the violation, a registration card  
12 valid in this Commonwealth at the time of the arrest.

13 § 1312. Notice of change of name or address.

14 Any person ~~who moves~~ WHOSE ADDRESS IS CHANGED from the <—  
15 address named in the application for registration or on the  
16 registration card or whose name is changed shall, within 15  
17 days, notify the department in writing of the old and new  
18 address, or of such former and new names, and of the operator's  
19 number on any registration card then held by the person.

20 § 1313. Duplicate registration cards.

21 (a) Additional cards upon request.--The department shall, if  
22 so requested, issue to the registrant of any vehicle whose  
23 registration is not under suspension a duplicate registration  
24 card, or as many duplicate registration cards as requested, upon  
25 payment of the fee provided in this title for each card.

26 (b) Replacement of lost or illegible card.--In the event of  
27 a lost, stolen, destroyed or illegible registration card, the  
28 registrant shall apply to the department for a duplicate within  
29 48 hours of discovery of the loss or defacement of such  
30 registration card, upon a form furnished by the department, and

1 accompanied by the fee provided in this title.

2 (c) Affidavit to avoid penalty.--No owner or operator of a  
3 vehicle shall be subject to a fine for failure to have the  
4 registration card if the owner or operator makes affidavit that  
5 the card was lost or stolen within the period of 20 days  
6 preceding and that application for new registration card was  
7 made within 48 hours as required in this section.

8 § 1314. TRANSFER OF REGISTRATION.

<—

9 (A) GENERAL RULE.--REGISTRATION AND REGISTRATION PLATES MAY  
10 BE TRANSFERRED TO ANOTHER VEHICLE OWNED OR LEASED BY THE  
11 REGISTRANT, OR TO A VEHICLE OWNED OR LEASED BY THE SPOUSE,  
12 PARENT OR CHILD OF THE REGISTRANT.

13 (B) PROCEDURE FOR TRANSFER.--IN ORDER TO TRANSFER  
14 REGISTRATION AND REGISTRATION PLATES, THE TRANSFEREE SHALL APPLY  
15 FOR A TEMPORARY REGISTRATION CARD IN ACCORDANCE WITH SECTION  
16 1310 (RELATING TO TEMPORARY REGISTRATION CARDS) AND  
17 SIMULTANEOUSLY APPLY FOR TRANSFER OF REGISTRATION UNDER THIS  
18 SECTION.

19 (C) SAME VEHICLE TYPE.--IF THE TRANSFER IS WITHIN THE SAME  
20 VEHICLE TYPE, THE TRANSFEREE SHALL RETAIN THE REGISTRATION PLATE  
21 PREVIOUSLY ISSUED, UNLESS LOST OR DESTROYED. A NEW REGISTRATION  
22 CARD SHALL BE ISSUED BY THE DEPARTMENT.

23 (D) DIFFERENT VEHICLE TYPE.--IF THE TRANSFER IS TO ANOTHER  
24 VEHICLE TYPE, A NEW REGISTRATION PLATE AND CARD SHALL BE ISSUED  
25 TO THE TRANSFEREE. THE PREVIOUSLY ISSUED PLATE SHALL BE RETURNED  
26 TO THE DEPARTMENT FOR CANCELLATION IMMEDIATELY UPON RECEIPT OF  
27 THE NEW REGISTRATION PLATE, UNLESS LOST OR DESTROYED. IN  
28 ADDITION TO THE TRANSFER FEE, THE TRANSFEREE SHALL PAY THE  
29 DIFFERENCE IN REGISTRATION FEES WHEN TRANSFERRING REGISTRATION  
30 TO A TYPE OR CLASS OF VEHICLE REQUIRING A HIGHER FEE. NO REFUND

1 SHALL BE PAYABLE ON TRANSFERRING TO A TYPE OR CLASS OF VEHICLE  
2 REQUIRING A LOWER FEE.

3 ~~§ 1314.~~ 1315. Operation of vehicle following death of owner. <—

4 When the owner of a vehicle is deceased, the vehicle may be  
5 operated by or for any heir or personal representative of the  
6 decedent for the remainder of the current registration period  
7 and throughout the next following registration period, provided  
8 that the registration is renewed in the name of the decedent's  
9 estate as otherwise required by this chapter. Registration may  
10 continue to be renewed thereafter in the name of the decedent's  
11 estate by any person entitled to the family exemption until the  
12 final account is approved by the court.

13 ~~§ 1315.~~ 1316. Department records. <—

14 ~~(a) Records required.~~ The department shall file all <—  
15 applications for registration or transfer of registration  
16 received and shall maintain suitable records in a manner  
17 permitting identification of the vehicles and owners, containing <—  
18 INCLUDING: <—

19 (1) All registrations and transfers of registrations  
20 issued.

21 (2) All registrations and transfers of registrations  
22 denied and reasons for denial. REGISTRATIONS AND TRANSFERS <—  
23 RETURNED FOR CORRECTION OF ERRORS OR OMISSIONS NEED NOT BE  
24 RECORDED.

25 ~~(b) Retention of records.~~ The department shall promulgate <—  
26 rules setting forth the minimum amount of time that must elapse  
27 before the department may destroy the records of registration  
28 and transfer of registration.

29 ~~§ 1316.~~ 1317. Sale of copies of registrations and statistics. <—

30 The department may sell copies of vehicle registrations and

1 such other statistics relating to the titling and registration  
2 of motor vehicles, except the amount of encumbrance and name of  
3 encumbrance holder, as it may deem advisable. The charge for the  
4 records and the conditions under which they may be sold shall be  
5 determined by the department.

6 SUBCHAPTER B

7 REGISTRATION PLATES

8 Sec.

9 1331. Registration plates to be furnished by department.

10 1332. Display of registration plate.

11 1333. Lost, STOLEN, damaged or illegible registration plate. <—

12 1334. ~~Plate to remain on vehicle.~~ RETURN OF REGISTRATION <—

13 PLATE.

14 1335. Registration plates for manufacturers and dealers.

15 1336. Use of dealer registration plates.

16 1337. Use of "Miscellaneous Motor Vehicle Business"

17 registration plates.

18 1338. Handicapped plate.

19 1339. Legislative plate.

20 1340. Antique and classic plates.

21 1341. Personal plate.

22 1342. Use of school bus plates.

23 1343. Use of farm tractor plates.

24 ~~1344. Return of registration plates.~~ <—

25 § 1331. Registration plates to be furnished by department.

26 (a) General rule.--Upon registering a vehicle, the  
27 department shall issue a ~~permanent~~ registration plate, ~~for the~~ <—  
28 ~~vehicle~~ unless the registrant has and intends to affix to the  
29 vehicle one of the following special plates:

30 (1) Handicapped plate (section 1338).

1           (2) Legislative plate (section 1339).

2           (3) Antique plate (section 1340).

3           (4) Classic plate (section 1340).

4           (5) Personal plate (section 1341).

5           (6) No fee plate (section 1901).

6           (b) Information on plate.--Every registration plate shall  
7 have displayed upon it the identifying numbers or letters  
8 assigned to the vehicle, the name of the Commonwealth, which may  
9 be abbreviated, and any other data the department may deem  
10 necessary.

11          (C) TEMPORARY REGISTRATION PLATES.--THE DEPARTMENT SHALL <—  
12 PROVIDE TEMPORARY REGISTRATION PLATES FOR USE ON VEHICLES WHICH  
13 ARE TO BE REMOVED FROM THIS COMMONWEALTH OR FOR USE AS NECESSARY  
14 PENDING ISSUANCE OF PERMANENT REGISTRATION PLATES.

15          ~~(c)~~ (D) Reflectorizing material on plate.--~~Every~~ ALL <—  
16 registration ~~plate~~ PLATES, EXCEPT TEMPORARY PLATES, shall be <—  
17 treated with reflectorizing material in accordance with  
18 standards approved by the department.

19          ~~(d)~~ (E) Issuance of plates by agents.--The department may <—  
20 deliver ~~permanent~~ plates, OTHER THAN SPECIAL PLATES, to <—  
21 designated agents, who shall have the authority to ~~assign them~~ <—  
22 ~~to vehicles~~ ISSUE THEM in conjunction with the issuance of <—  
23 temporary registration cards.

24 § 1332. Display of registration plate.

25          (a) General rule.--Every registration plate shall, at all  
26 times, be securely fastened to the vehicle to which it is  
27 assigned or on which its use is authorized in accordance with  
28 regulations promulgated by the department.

29          (b) Obscuring plate.--It is unlawful to display on any  
30 vehicle a registration plate which is so dirty as to prevent the

1 reading of the number or letters thereon at a reasonable  
2 distance or is otherwise illegible at a reasonable distance or  
3 is obscured in any manner.

4 § 1333. Lost, STOLEN, damaged or illegible registration plate. <—

5 (a) Substitute plate made by owner.--In the event a  
6 registration plate is lost, stolen, damaged or illegible, the  
7 owner of the vehicle shall immediately place on the vehicle a  
8 home-made substitute plate or plates bearing the vehicle  
9 registration number and displayed as nearly as possible as  
10 provided for in section 1332 (relating to display of  
11 registration plate).

12 (b) Application for new plate.--The registrant of the  
13 vehicle shall ~~apply to the department~~ within 48 hours of <—  
14 discovering the loss, THEFT or defacement ~~for a new plate.~~ APPLY <—  
15 TO THE DEPARTMENT FOR A NEW PLATE AND REPORT THE LOSS OR THEFT  
16 OF A PLATE TO THE POLICE.

17 (c) Substitute registration.--Where the registration plate  
18 has been lost or stolen and in any other case in which the  
19 department may deem it advisable, the original registration  
20 shall be cancelled and substitute registration issued under a  
21 new registration number other than that originally issued. Upon  
22 receipt of substitute registration, it shall be the duty of the  
23 registrant to return the old registration plates and card to the  
24 department, unless lost or destroyed.

25 (d) Affidavit to avoid penalty.--No owner or operator of a  
26 vehicle shall be subject to a fine for the reason that the  
27 registration plate is missing if he makes affidavit that the  
28 plate was lost or stolen within the period of the 20 days  
29 preceding and that application for new plate or plates was made  
30 within 48 hours as required in this section.

1 ~~§ 1334. Plate to remain on vehicle.~~ <—

2 ~~(a) General rule. Except as provided in subsection (b),~~  
3 ~~when ownership of a vehicle is transferred the registration~~  
4 ~~plate and corresponding certificate of inspection shall remain~~  
5 ~~attached to the vehicle.~~

6 ~~(b) Exceptions. The registration plate shall not be~~  
7 ~~transferred with the vehicle in any of the following cases:~~

8 ~~(1) If the registration plate is a special registration~~  
9 ~~plate enumerated in section 1331(a) (relating to registration~~  
10 ~~plates to be furnished by department), in which event the~~  
11 ~~transferee shall apply for and the department shall issue a~~  
12 ~~new registration plate.~~

13 ~~(2) If the transferee has and intends to use on the~~  
14 ~~vehicle a special registration plate enumerated in section~~  
15 ~~1331(a).~~

16 ~~(3) If the vehicle is to be removed from this~~  
17 ~~Commonwealth.~~

18 ~~(4) If a certificate of junk is being applied for.~~

19 § 1344. RETURN OF REGISTRATION PLATE. <—

20 (A) GENERAL RULE.--REGISTRATION PLATES SHALL BE RETURNED TO  
21 THE DEPARTMENT UNDER THE FOLLOWING CIRCUMSTANCES:

22 (1) A REGISTRATION PLATE SHALL BE RETURNED IF THE  
23 REGISTRANT NO LONGER HAS A VEHICLE TITLED IN THIS  
24 COMMONWEALTH.

25 (2) A LEGISLATIVE REGISTRATION PLATE SHALL BE RETURNED  
26 ON THE EXPIRATION OR TERMINATION OF THE TERM OF OFFICE OF THE  
27 LEGISLATIVE MEMBER.

28 (3) A DEALER OR "MISCELLANEOUS MOTOR VEHICLE BUSINESS"  
29 REGISTRATION PLATE SHALL BE RETURNED IF THE BUSINESS IS  
30 DISCONTINUED.

(4) A HANDICAPPED REGISTRATION PLATE SHALL BE RETURNED IF THE PERSON TO WHOM IT WAS ISSUED NO LONGER QUALIFIES UNDER SECTION 1338 (RELATING TO HANDICAPPED PLATE).

(B) TIME FOR RETURN OF PLATE.--EACH REGISTRATION PLATE REQUIRED TO BE RETURNED UNDER THIS SECTION SHALL BE RETURNED TO THE DEPARTMENT WITHIN FIVE DAYS OF THE OCCURRENCE REQUIRING ITS RETURN.

(C) STATEMENT ACCOMPANYING RETURNED PLATE.--EACH RETURNED REGISTRATION PLATE SHALL BE ACCOMPANIED BY A STATEMENT OF THE REASON FOR THE RETURN OF THE PLATE AND THE DATE OF THE OCCURRENCE REQUIRING ITS RETURN.

§ 1335. Registration plates for manufacturers and dealers.

(a) General rule.--The department shall issue annually to dealers and manufacturers licensed by the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen of the Department of State special registration plates which may be displayed on vehicles operating on highways in lieu of registering each vehicle individually in accordance with the requirements of section 1302(a) (relating to vehicles subject to registration).

(b) Application for plates.--Application for dealer registration plates shall be made by the dealer or manufacturer on a form provided by the department together with a copy of his license from the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen.

(c) Exemption from individual registration.--Vehicles displaying dealer registration plates may be operated on the highway without registering each vehicle individually, provided that the plates are used in accordance with the limitations of section 1336 (relating to use of dealer registration plates).

§ 1336. Use of dealer registration plates.



1 (a) General rule.--Dealer registration plates may be used on  
2 any vehicle owned or in possession of a dealer or manufacturer  
3 and operated by the dealer or manufacturer or their employees  
4 only when the vehicle is used for any of the following purposes:

5 (1) In the actual business of the dealer or  
6 manufacturer.

7 (2) For the personal pleasure or use of the dealer or  
8 members of his immediate family, or when the dealer is a  
9 corporation, for the personal pleasure or use of not more  
10 than three officers or members of their immediate families,  
11 or for the personal use of the regular employees of the  
12 dealer or corporation when operated by the employee.

13 (3) For teaching students enrolled in an approved driver  
14 education course how to operate a vehicle and for the new  
15 driver to take an examination for a driver's license.

16 (4) For testing vehicles in the possession of the dealer  
17 or manufacturer.

18 (5) For demonstrating vehicles in the possession of the  
19 dealer or manufacturer.

20 (b) Vehicles loaned to prospective purchasers.--Registered  
21 dealers may permit the use of their dealer registration plates  
22 for a period not exceeding five days upon vehicles owned by  
23 them, and loaned to prospective purchasers for the purpose of  
24 demonstrating the vehicle. Records shall be kept by the dealer  
25 in a manner prescribed by the department indicating which  
26 vehicles have been loaned to prospective purchasers, the name of  
27 the person to whom loaned and the period of the loan. The  
28 records shall be open to inspection to representatives of the  
29 department and to police officers.

30 § 1337. Use of "Miscellaneous Motor Vehicle Business"

1 registration plates.

2 (a) General rule.--The department shall issue annually to  
3 owners of miscellaneous motor vehicle businesses special  
4 registration plates which may be displayed on vehicles operated  
5 on highways in lieu of registering each vehicle individually in  
6 accordance with the requirements of section 1362(a) (relating to  
7 vehicles subject to registration). ~~A person entitled to~~ <—  
8 ~~registration under subsection (c) may only use registration~~  
9 ~~plates issued in that class in direct connection with the~~  
10 ~~operation of the business described and the registration plates~~  
11 ~~shall not be used for personal pleasure or personal use.~~

12 REGISTRATION PLATES ISSUED UNDER THIS SECTION MAY BE USED ONLY <—  
13 WHEN THE VEHICLE IS USED FOR ANY OF THE FOLLOWING PURPOSES:

14 (1) IN THE CONDUCT OF THE MISCELLANEOUS MOTOR VEHICLE  
15 BUSINESS.

16 (2) FOR THE PERSONAL PLEASURE OR USE OF THE OWNER OF THE  
17 MISCELLANEOUS MOTOR VEHICLE BUSINESS OR MEMBERS OF THEIR  
18 IMMEDIATE FAMILY, OR WHEN THE BUSINESS IS A CORPORATION, FOR  
19 THE PLEASURE OR USE OF NOT MORE THAN THREE OFFICERS OR  
20 MEMBERS OF THEIR IMMEDIATE FAMILIES, OR FOR THE PERSONAL USE  
21 OF THE REGULAR EMPLOYEES OF THE BUSINESS WHEN OPERATED BY THE  
22 EMPLOYEE.

23 (b) Application for registration.--Application for  
24 registration in any of the "Miscellaneous Motor Vehicle  
25 Business" classes shall be made upon a form provided by the  
26 department and shall set forth the full name and business  
27 address of the applicant and such other information as the  
28 department shall require. The application shall be verified by  
29 the oath or affirmation of the applicant or, if the applicant is  
30 a partnership or a corporation, by a partner or officer.

(c) Classes of "Miscellaneous Motor Vehicle Business".--

(1) Repair, service and towing.--Any person engaged in the repair, service or towing of motor vehicles.

(2) Vehicle salvage dealer.--Any person who maintains an established place of business and who is engaged in the business of buying, selling or exchanging used, wrecked or abandoned vehicles and junkers for the purpose of remodeling, taking apart, or rebuilding the same, or buying or selling of parts.

(3) Transporter.--A person regularly engaged in the business of transporting new vehicles or new and used trailers on their own wheels, owned by or in possession of a registered dealer.

(4) Financer or collector-repossessor.--A person who is duly authorized to do business in this Commonwealth as a financer or collector-repossessor and who is regularly engaged in the business of financing sales, making loans on the security of vehicles or repossessing vehicles which are the subject of installment sales contracts as an independent contractor.

§ 1338. Handicapped plate.

On the application of any person who:

(1) does not have full use of a leg or both legs or an arm or both arms;

(2) is blind; or

(3) is in loco parentis of a person specified in paragraph (1) or (2);

the department shall issue special registration plates for any passenger car or Class #1 truck designating the vehicle so licensed as being used by a handicapped person. Special plates

1 for handicapped persons may also be issued for vehicles operated  
2 exclusively for the use and benefit of handicapped persons. The  
3 department shall not charge any fee, other than the regular  
4 registration fee, for the issuance of the registration plates.

5 § 1339. Legislative plate.

6 Upon application by a member of the General Assembly OF THE <—  
7 COMMONWEALTH OR THE CONGRESS OF THE UNITED STATES, the  
8 department shall issue a special registration ~~plate~~ PLATES <—  
9 indicating that the vehicle is owned by a member of the  
10 PENNSYLVANIA OR UNITED STATES Senate or ~~the~~ House of <—  
11 Representatives, as appropriate. The department ~~may~~ SHALL not <—  
12 charge any fee, other than the regular registration fee, for the  
13 ISSUANCE OF THE plates. <—

14 § 1340. Antique and classic plates.

15 (a) General rule.--Upon submission by a vehicle owner of  
16 information satisfactory to the department that a motor vehicle  
17 is an antique motor vehicle or classic motor vehicle,  
18 accompanied by the appropriate fee, the department may issue  
19 special plates for the vehicle. No annual registration fee may  
20 be charged for antique or classic motor vehicles.

21 (b) Use of plates.--It is unlawful for any person to operate  
22 a vehicle with antique or classic registration plates for  
23 general daily transportation. Permitted use shall be limited to  
24 participation in club activities, exhibits, tours, parades,  
25 occasional transportation and similar uses.

26 § 1341. Personal plate.

27 Upon request by the applicant, the department may issue  
28 registration plates consisting of any combination of numbers,  
29 LETTERS or numbers and letters. These special plates may be <—  
30 issued for special groups or for special purposes and bear an

1 appropriate designation. They shall have the same force and  
2 effect as regular registration plates. The department may refuse  
3 any combination of letters and numbers for cause and shall adopt  
4 reasonable rules and regulations for the issuance of the plates  
5 and for carrying out the provisions of this section. The  
6 applicant shall comply with all laws and regulations pertaining  
7 to registration including the payment of any additional fees.

8 § 1342. Use of school bus plates.

9 (a) General rule.--A motor vehicle bearing school bus  
10 registration plates shall be used exclusively for the  
11 transportation of children and no more than five chaperones to  
12 or from school or in connection with any school-related activity  
13 or for transportation without charge of passengers in connection  
14 with an activity sponsored by a religious, charitable or civic  
15 organization. Except when transporting children to and from  
16 school or school-related activities, the words "school bus" on  
17 the front and rear of the vehicle shall be concealed and the red  
18 and amber visual signals shall not be operable.

19 (b) Penalty.--Any person violating this section is guilty of  
20 a summary offense and shall, upon conviction, be sentenced to  
21 pay a fine of not less than \$100.

22 § 1343. Use of farm truck plates.

23 (a) General rule.--A truck bearing farm truck registration  
24 plates shall be used exclusively upon a farm or farms owned or  
25 operated by the owner of the vehicle or upon highways between:

26 (1) Parts of one farm.

27 (2) Farms located not more than ~~20~~ 25 miles apart. <—

28 (3) A farm and a place of business located within a  
29 radius of ~~20~~ 25 miles from the farm for the purpose of buying <—  
30 or selling agricultural commodities or supplies or for the

1 inspection, repair or servicing of the vehicle.

2 (b) Penalty.--Any person violating this section is guilty of  
3 a summary offense and shall, upon conviction, be sentenced to  
4 pay a fine of not less than \$100.

5 ~~§ 1344. Return of registration plates.~~ <—

6 ~~(a) General rule. Registration plates shall be returned to~~  
7 ~~the department under the following circumstances:~~

8 ~~(1) A permanent registration plate shall be returned if~~  
9 ~~it is not transferred with a vehicle as provided in section~~  
10 ~~1334(b)(2), (3) and (4) (relating to plate to remain on~~  
11 ~~vehicle).~~

12 ~~(2) A personal registration plate shall be returned if~~  
13 ~~the registrant no longer has a vehicle registered in this~~  
14 ~~Commonwealth.~~

15 ~~(3) A legislative registration plate shall be returned~~  
16 ~~on the expiration or termination of the term of office of the~~  
17 ~~member of the General Assembly.~~

18 ~~(4) A dealer or "Miscellaneous Motor Vehicle Business"~~  
19 ~~registration plate shall be returned if the business is~~  
20 ~~discontinued.~~

21 ~~(5) A handicapped registration plate shall be returned~~  
22 ~~if the person to whom it was issued no longer qualifies under~~  
23 ~~section 1338 (relating to handicapped plate).~~

24 ~~(b) Time for return of plate. Each registration plate~~  
25 ~~required to be returned under this section shall be returned to~~  
26 ~~the department within five days of the occurrence requiring its~~  
27 ~~return.~~

28 ~~(c) Statement accompanying returned plate. Each returned~~  
29 ~~registration plate shall be accompanied by a statement of the~~  
30 ~~reason for the return of the plate and the date of the~~

1 ~~occurrence requiring its return.~~

2 SUBCHAPTER C

3 VIOLATIONS AND SUSPENSIONS

4 Sec.

5 1371. Operation following suspension of registration.

6 1372. Unauthorized transfer or use of registration.

7 1373. Suspension of registration.

8 1374. Suspension of vehicle business registration plates.

9 1375. Suspension of registration of unapproved carriers.

10 1376. Surrender of registration plates and cards upon  
11 suspension.

12 1377. ~~Right of appeal to court.~~ JUDICIAL REVIEW OF DENIAL  
13 OR SUSPENSION OF REGISTRATION.

<—

14 § 1371. Operation following suspension of registration.

15 (a) General rule.--No person shall operate and no owner  
16 shall permit to be operated upon any highway a vehicle the  
17 registration of which has been ~~revoked or~~ suspended.

<—

18 (b) Penalty.--Any person violating this section is guilty of  
19 a summary offense and shall, upon conviction, be sentenced to  
20 pay a fine of not less than \$100 nor more than \$500.

21 § 1372. Unauthorized transfer or use of registration.

22 No person shall:

23 (1) allow a registration card or plate or permit to be  
24 used by any person not authorized to use it or on any vehicle  
25 other than the vehicle for which it was issued;

26 (2) use any registration card or plate or permit unless  
27 authorized to do so; or

28 (3) display a registration card or plate in, on or in  
29 connection with any vehicle other than the vehicle for which  
30 it was issued.

1 § 1373. Suspension of registration.

2 The department may suspend ~~forthwith~~ any registration after <—  
3 providing opportunity for a hearing in any of the following  
4 cases when the department finds upon sufficient evidence that:

5 (1) The vehicle is unsafe or unfit for operation or is  
6 not equipped as required by this title.

7 (2) The owner or registrant has made, or permitted to be  
8 made, any unlawful use of the vehicle or registration plate  
9 or plates, or registration card, or permitted the use by a  
10 person not entitled thereto.

11 (3) The owner or registrant has knowingly made a false  
12 statement or knowingly concealed a material fact or otherwise  
13 committed a fraud in any application or form required to be  
14 filed by this title.

15 (4) Upon the request or order of any court of record.

16 (5) The required fee has not been paid.

17 (6) THE REGISTRANT OR ANY AGENT OR EMPLOYEE HAS <—  
18 REPEATEDLY VIOLATED ANY OF THE PROVISIONS OF THIS CHAPTER OR  
19 CHAPTER 11 (RELATING TO CERTIFICATE OF TITLE AND SECURITY  
20 INTERESTS).

21 § 1374. Suspension of vehicle business registration plates.

22 (a) General rule.--The department may suspend registration  
23 plates for dealers, manufacturers or members of the  
24 "Miscellaneous Motor Vehicle Business" class after providing  
25 opportunity for a hearing in any of the following cases when the  
26 department finds upon sufficient evidence that:

27 (1) The registrant is no longer entitled to licensing as  
28 a dealer or manufacturer or to registration in the  
29 "Miscellaneous Motor Vehicle Business" class.

30 (2) The registrant has made or permitted to be made any



1 unlawful use of the vehicle or registration plate or plates  
2 or registration card or permitted the use by a person not  
3 entitled thereto.

4 (3) The registrant has knowingly made a false statement  
5 or knowingly concealed a material fact or otherwise committed  
6 a fraud in any application.

7 (4) The registrant has failed to give notice of transfer  
8 of ownership or of the destruction or junking of any vehicle  
9 when and as required by this title.

10 (5) The registrant has failed to deliver to a transferee  
11 lawfully entitled thereto or to the department, when and as  
12 required by this title, a properly assigned certificate of  
13 title.

14 (6) The registrant has repeatedly violated any of the  
15 provisions of this title.

16 (7) Any fee payable to the Commonwealth in connection  
17 with the operation of the business of the registrant has not  
18 been paid.

19 (b) Recommended action by State licensing board.--The  
20 department may also audit and investigate dealers and  
21 manufacturers registered by the State Board of Motor Vehicle  
22 Manufacturers, Dealers and Salesmen to determine whether any  
23 dealer or manufacturer has violated any provision of this title  
24 pertaining to dealers or manufacturers or any regulation  
25 promulgated by the department. The department may recommend that  
26 the State Board of Motor Vehicle Manufacturers, Dealers and  
27 Salesmen suspend the license of any dealer or manufacturer which  
28 it finds has committed a violation and the board shall take  
29 prompt action on any such recommendations under the act of  
30 September 9, 1965 (P.L.499, No.254), known as the "Motor Vehicle

1 Manufacturer's Dealers and Salesmen's License Act."

2 § 1375. Suspension of registration of unapproved carriers.

3 (a) General rule.--The department shall suspend the  
4 registration of any vehicle upon the presentation to the  
5 department of a certificate of the Pennsylvania Public Utility  
6 Commission setting forth, after hearing and investigation, that  
7 the commission has found and determined that the vehicle has  
8 been operated as a common carrier or contract carrier by motor  
9 vehicle within this Commonwealth without the approval of the  
10 commission AND EITHER THAT NO APPEAL WAS FILED FROM SUCH  
11 DETERMINATION IN THE MANNER AND WITHIN THE TIME PROVIDED BY LAW  
12 OR THAT THE DETERMINATION WAS AFFIRMED ON APPEAL. <—

13 (b) Rescission of suspension.--Any suspension of  
14 registration under this section may be rescinded by the  
15 department upon the petition of the owner of such vehicle or of  
16 the lessee provided the petition is accompanied by a certificate  
17 of the Pennsylvania Public Utility Commission setting forth that  
18 the commission does not object to the rescission.

19 § 1376. Surrender of registration plates and cards upon  
20 suspension.

21 (a) General rule.--The department, upon suspending any  
22 registration, shall require the registration plate or plates and  
23 registration card to be surrendered immediately to the  
24 department and may delegate authority to any authorized  
25 department employee or police officer to seize the registration  
26 plate or plates and registration card or cards.

27 (b) Penalty.--Any person failing or refusing to surrender to  
28 the department, upon demand, any registration plate or card  
29 which has been suspended is guilty of a summary offense and  
30 shall, upon conviction, be sentenced to pay a fine of \$100.

1 § 1377. ~~Right of appeal to court.~~ JUDICIAL REVIEW OF <—  
2 DENIAL OR SUSPENSION OF REGISTRATION.  
3 Any person whose registration has been DENIED OR suspended by <—  
4 the department shall have the right to appeal by filing a  
5 petition within 30 days ~~thereafter~~ FROM THE DATE NOTICE IS <—  
6 MAILED for a hearing in the court of common pleas in the county  
7 in which the individual resides. The filing of the petition  
8 shall act as a supersedeas and the suspension of registration  
9 shall not be imposed until determination of the matter as  
10 provided in this section. The court is hereby vested with  
11 jurisdiction, and it shall be the duty of the ~~department~~ COURT <—  
12 to set the matter down forthwith for hearing upon 30 days  
13 written notice to the department, and thereupon to take  
14 testimony and examine into the facts of the case and to  
15 determine whether the petitioner is ENTITLED TO REGISTRATION OR <—  
16 subject to suspension of registration under the provisions of  
17 this title.

18 CHAPTER 15  
19 LICENSING OF DRIVERS

20 Subchapter

- 21 A. General Provisions  
22 B. Comprehensive System For Driver Education and Control  
23 C. Violations

24 SUBCHAPTER A  
25 GENERAL PROVISIONS

26 Sec.

- 27 1501. Drivers required to be licensed.  
28 1502. Persons exempt from licensing.  
29 1503. Persons ineligible for licensing.  
30 1504. Classes of licenses.

1 1505. Learners' permits.  
2 1506. Application for driver's license or learner's permit.  
3 1507. Application for driver's license or learner's permit by  
4 minor.  
5 1508. Examination of applicant for driver's license.  
6 1509. Qualifications for Class 4 license.  
7 1510. Issuance and content of driver's license.  
8 1511. Carrying and exhibiting driver's license on demand.  
9 1512. Restrictions on drivers' licenses.  
10 1513. Duplicate and substitute drivers' licenses and learners'  
11 permits.  
12 1514. Expiration and renewal of drivers' licenses.  
13 1515. Notice of change of name or address.  
14 1516. Department records.  
15 1517. Medical advisory board.  
16 1518. Reports on mental or physical disabilities or disorders.  
17 1519. Determination of incompetency.

18 § 1501. Drivers required to be licensed.

19 (a) General rule.--No person, except those expressly  
20 exempted, shall drive any motor vehicle upon a highway in this  
21 Commonwealth unless the person has a ~~valid~~ driver's license <—  
22 VALID under the provisions of this chapter. <—

23 (b) Persons in towed vehicles.--No person, except those  
24 expressly exempted, shall steer or, while within the passenger  
25 compartment of the vehicle, exercise any degree of physical  
26 control of a vehicle being towed by a motor vehicle upon a  
27 highway in this Commonwealth unless the person has a valid  
28 driver's license under the provisions of this chapter for the  
29 type or class of vehicle being towed.

30 (c) Limitation on number of licenses.--No person shall

1 receive a driver's license unless and until the person  
2 surrenders to the department all valid licenses in the person's  
3 possession issued by this or any other state. All surrendered  
4 licenses issued by another state shall be returned to that  
5 state, together with information that the person is licensed in  
6 this Commonwealth. No person shall be permitted to have more  
7 than one valid driver's license at any time.

8 (d) Penalty.--Any person violating subsection (a) is guilty  
9 of a ~~misdemeanor of the third degree~~ SUMMARY OFFENSE and shall, <—  
10 upon conviction, be sentenced to pay a fine of not less than  
11 \$100, ~~and not more than \$300~~ except that, if the person charged <—  
12 furnishes satisfactory proof of having held a valid driver's  
13 license issued during the preceding driver's license period and  
14 no more than 30 days have elapsed from the last date for  
15 renewal, the ~~person~~ FINE shall be ~~guilty of a summary offense.~~ <—  
16 \$25. No person charged with violating subsections (a) or (b)  
17 shall be convicted if the person produces at the office of the  
18 issuing authority or the arresting police officer within five  
19 days a driver's license valid in this Commonwealth at the time  
20 of the arrest.

21 § 1502. Persons exempt from licensing.

22 The following persons are not required to obtain a driver's  
23 license under this chapter:

24 (1) Any employee of the Federal Government while  
25 operating a motor vehicle owned by or leased to the Federal  
26 Government and being operated on official business unless the  
27 employee is required by the Federal Government or any agency  
28 thereof to have a state driver's license.

29 (2) Any person in the service of the Pennsylvania  
30 National Guard when furnished with a valid military driver's

1 license and operating a AN OFFICIAL vehicle on official  
2 business.

3 (3) Any nonresident who is at least 16 years of age and  
4 who has in possession a valid driver's license issued in the  
5 person's home state or country except that a person who has  
6 been issued a valid driver's license in a country other than  
7 the United States or Canada shall be exempt only upon showing  
8 a satisfactory understanding of official traffic-control  
9 devices. A nonresident may only drive the class or classes of  
10 vehicles in this Commonwealth for which the person is  
11 licensed to drive in the person's home state or country  
12 subject to all restrictions contained on the license.

13 (4) Any person on active duty in the armed forces of the  
14 United States who has in ~~the person's~~ THEIR immediate  
15 possession a valid driver's license issued in a foreign  
16 country by the armed forces of the United States may operate  
17 a motor vehicle in this Commonwealth for a period of not more  
18 than 45 days from the date of the person's return to the  
19 United States.

20 (5) Any person 14 YEARS OF AGE OR OLDER operating an  
21 implement of husbandry or any motorized self-propelled  
22 equipment not required to be registered under this title.

23 Persons under 16 years of age are restricted to the operation  
24 of implements of husbandry on one and two lane highways which  
25 bisect or immediately adjoin the premises upon which such  
26 person resides.

27 § 1503. Persons ineligible for licensing.

28 (a) General rule.--The department shall not issue any  
29 driver's license to, or renew the driver's license of, any  
30 person:

1           (1) ~~Who is currently under suspension or whose~~ WHOSE <—  
2           operating privilege has been SUSPENDED OR revoked IN THIS OR <—  
3           ANY OTHER STATE except as otherwise provided in this title.

4           (2) Whose operating privilege is suspended or revoked in  
5           any other state upon grounds which would authorize the  
6           suspension or revocation of the operating privilege under  
7           this title.

8           (3) Who is a user of alcohol or any controlled substance  
9           to a degree rendering the user incapable of safely driving a  
10          motor vehicle. This paragraph does not apply to any person  
11          who is enrolled or otherwise participating in a methadone or  
12          other controlled substance treatment program approved by the  
13          Governor's Council on Drug and Alcohol Abuse provided that  
14          the person is certified to be competent to drive by a  
15          physician DESIGNATED BY THE GOVERNOR'S COUNCIL ON DRUG AND <—  
16          ALCOHOL ABUSE.

17          (4) Who has been adjudged to be afflicted with or  
18          suffering from any mental disability or disease and who has  
19          not at the time of application been restored to competency by  
20          the methods provided by law.

21          (5) Whose name has been submitted under the provisions  
22          of section 1518 (relating to reports on mental or physical  
23          disabilities or disorders).

24          (6) Who is required by the department to take an  
25          examination until the person has successfully passed the  
26          examination.

27          (7) WHO HAS REPEATEDLY VIOLATED ANY OF THE PROVISIONS OF <—  
28          THIS CHAPTER. THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR  
29          A HEARING UPON INVOKING THIS PARAGRAPH.

30          (b) Minors.--The department shall not issue any driver's

1 license to any person who is under the age of 18 years, except  
2 that the department shall issue a driver's license to any person  
3 who is at least 16 years of age and who presents evidence that  
4 the person has satisfactorily completed a driver education  
5 course and all other requirements necessary for the type of  
6 license to be issued. This course must be approved by the  
7 department and the Department of Education and may be given by a  
8 public school, a private school or a licensed professional  
9 driver training school. Upon receiving an application signed and  
10 verified by a parent, guardian or person in loco parentis, the  
11 department shall issue a learner's permit to any person who has  
12 attained the age of 15 years 9 months in order that the person  
13 may receive classroom instruction in an approved driver training  
14 course. Upon such person's 16th birthday, the learner's permit  
15 shall be valid for driving on the highways of this Commonwealth  
16 subject to the provisions of this chapter governing the use of  
17 learners permits.

18 § 1504. Classes of licenses.

19 (a) Proper class of license required.--No person shall drive  
20 any motor vehicle upon a highway in this Commonwealth unless the  
21 person has a valid driver's license for the type or class of  
22 vehicle being driven.

23 (b) Notation of class on license.--The department upon  
24 issuing a driver's license shall indicate on the license the  
25 type or general class or classes of vehicle or vehicles the  
26 licensee may operate in accordance with the provisions of  
27 subsection (c).

28 (c) Qualifications of applicants.--The department shall  
29 establish by regulation the qualifications necessary for the  
30 safe operation of the various types, sizes or combinations of



1 vehicles and ~~shall appropriately examine each applicant to~~ <—  
2 ~~determine the qualification of the applicant according to~~ THE <—  
3 MANNER OF EXAMINING APPLICANTS TO DETERMINE THEIR QUALIFICATIONS  
4 FOR the type or general class of license applied for.

5 (d) Number and description of classes.--Licenses issued by  
6 the department shall be classified in the following manner:

7 (1) Class 1.--A Class 1 license shall be issued to those  
8 persons who have demonstrated their qualifications to operate  
9 a single vehicle not in excess of ~~24,000~~ 26,000 pounds <—  
10 registered gross weight or any such vehicle towing a trailer  
11 not in excess of ~~10,000~~ 9,000 pounds gross weight. The holder <—  
12 of a Class 1 license shall not be deemed qualified to operate  
13 buses, school buses or motorcycles unless the license is  
14 endorsed as provided in this section.

15 (2) Class 2.--A Class 2 license shall be issued to those  
16 persons over 18 years of age who have demonstrated their  
17 qualifications to operate a single vehicle of over ~~24,000~~ <—  
18 26,000 pounds registered gross weight or any bus or any such  
19 vehicle towing a trailer not in excess of ~~10,000~~ 9,000 pounds <—  
20 gross weight. The holder of a Class 2 license shall be deemed  
21 qualified to operate those vehicles for which a Class 1  
22 license is issued, but not school buses or motorcycles unless  
23 the license is endorsed as provided in this section.

24 (3) Class 3.--A Class 3 license shall be issued to those  
25 persons over 18 years of age who have demonstrated their  
26 qualifications to operate a vehicle while in combination with  
27 or towing a trailer in excess of 10,000 pounds gross weight.  
28 The holder of a Class 3 license shall be deemed qualified to  
29 operate those vehicles for which a Class 1 or Class 2 license  
30 is issued, but not school buses or motorcycles unless the

1 license is endorsed as provided in this section.

2 (4) Class 4.--Persons who have qualified to operate  
3 school buses in accordance with this title and the rules and  
4 regulations promulgated and adopted by the department shall  
5 have the qualification endorsed on the license as provided in  
6 this section.

7 (5) Class 5.--Those persons who have demonstrated their  
8 qualifications to operate a motorcycle, AND WHO HAVE <—  
9 SATISFACTORILY COMPLETED A DRIVER EDUCATION COURSE FOR SUCH  
10 VEHICLES, shall have that qualification endorsed on one of  
11 the basic classes of license described in this section. If a  
12 person is qualified only to operate a motorcycle he shall be  
13 issued a license with only that qualification endorsed on the  
14 license.

15 (6) CLASS 6.--THOSE PERSONS WHO HAVE DEMONSTRATED THEIR <—  
16 QUALIFICATIONS TO OPERATE A MOTOR-DRIVEN CYCLE OR MOTORIZED  
17 BICYCLE SHALL HAVE THAT QUALIFICATION ENDORSED ON ONE OF THE  
18 BASIC CLASSES OF LICENSE DESCRIBED IN THIS SECTION. IF A  
19 PERSON IS QUALIFIED ONLY TO OPERATE A MOTOR-DRIVEN CYCLE OR  
20 MOTORIZED BICYCLE HE SHALL BE ISSUED A LICENSE WITH ONLY THAT  
21 QUALIFICATION ENDORSED ON THE LICENSE.

22 (e) Removal of class from license.--A person with a license  
23 endorsed for a class may, upon request, have the endorsement  
24 removed by the department without prejudice.

25 § 1505. Learners' permits.

26 (a) General rule.--A person who desires to obtain a driver's  
27 license or who desires to be licensed in a class for which the  
28 person is not already licensed shall apply to the department for  
29 the class or classes of license in which the person desires to  
30 be licensed. The department shall issue to each applicant a

1 learner's permit which shall clearly identify the class of  
2 license applied for as provided in section 1504 (relating to  
3 classes of licenses).

4 (b) Learner must be accompanied.--A learner's permit  
5 entitles the person to whom it was issued to drive vehicles and  
6 combinations of vehicles of the class or classes specified, but  
7 only while the holder of the learner's permit is accompanied by  
8 and under the immediate supervision of a person who:

9 (1) is licensed in this Commonwealth to drive vehicles  
10 of the class then being driven by the holder of the learner's  
11 permit; and

12 (2) is actually occupying a seat beside the holder of  
13 the learner's permit unless the vehicle is a motorcycle.

14 (c) Operation of motorcycle.--A motorcycle learner's permit  
15 entitles the person to whom it is issued to operate a motorcycle  
16 between sunrise and sunset while under the instruction and  
17 immediate supervision of a licensed motorcycle operator.  
18 Motorcycle learners shall not carry any passenger other than an  
19 instructor properly licensed to operate a motorcycle.

20 (d) Duration of permit.--A learner's permit shall be valid  
21 for a period of 120 days after date of issue, or until the  
22 holder of the permit has failed the examination as authorized in  
23 section 1508 (relating to examination of applicant for driver's  
24 license) three times within the 120-day period.

25 § 1506. Application for driver's license or learner's permit.

26 (a) Form and content.--Every application for a learner's  
27 permit or driver's license shall be made upon a form furnished  
28 by the department and shall contain such information as the  
29 department may require to determine the applicant's identity,  
30 competency and eligibility.

1 (b) Signature and certification.--The application shall be  
2 signed by the applicant who shall certify that the statements  
3 made are true and correct.

4 § 1507. Application for driver's license or learner's permit by  
5 minor.

6 (a) Signature of parent or guardian.--The application of any  
7 person under the age of 18 years for a learner's permit or  
8 driver's license shall ALSO be signed ~~and verified before a~~ <—  
9 ~~person authorized to administer oaths or before an authorized~~  
10 ~~department employee~~ by the father, mother, guardian or person in  
11 loco parentis WHICH SIGNATURE SHALL BE VERIFIED BEFORE A PERSON <—  
12 AUTHORIZED TO ADMINISTER OATHS OR BEFORE AN AUTHORIZED  
13 DEPARTMENT EMPLOYEE.

14 (b) Signature of spouse of married minor.--The application  
15 of any married person under the age of 18 years may be signed by  
16 the spouse, IF THE SPOUSE IS AT LEAST 18 YEARS OF AGE, and <—  
17 verified before a person authorized to administer oaths.

18 (c) Certification of person signing.--Any person signing the  
19 application shall certify that the statements made thereon are  
20 true and correct to the best of the applicant's knowledge,  
21 information and belief and that the person consents to the  
22 issuance of the driver's license or learner's permit.

23 (d) Withdrawal of consent.--Any person who has signed the  
24 application of a person under the age of 18 YEARS for a driver's <—  
25 license or learner's permit may thereafter file with the  
26 department a verified written request that the driver's license  
27 or learner's permit of the person be cancelled and the  
28 department shall cancel the driver's license or learner's  
29 permit.

30 § 1508. Examination of applicant for driver's license.

1       (a) General rule.--~~The department shall examine every~~ EVERY     <—  
2     applicant for a driver's license SHALL BE EXAMINED for the type     <—  
3     or class of vehicles that the applicant desires to drive. The  
4     examination shall include a test of the applicant's eyesight,  
5     ability to read and understand official traffic-control devices,  
6     knowledge of safe driving practices and the traffic laws of this  
7     Commonwealth, and shall include an actual demonstration of  
8     ability to exercise ordinary and reasonable control in the  
9     operation of a motor vehicle of the type or class of vehicles  
10    for which the applicant desires a license to drive. The  
11    examination may also include a physical and mental examination  
12    if the department finds it necessary to further determine an  
13    applicant's fitness to operate a motor vehicle safely upon the  
14    highways.

15       (b) Issuance of license to licensed nonresident.--A driver's  
16    license may be issued to a person who has not had a learner's  
17    permit but who at the time of application is of sufficient age  
18    and has a valid ~~unrevoked or unsuspended~~ DRIVER'S license issued     <—  
19    by another state under a law requiring the examination and  
20    licensing of drivers, providing that the applicant demonstrates  
21    knowledge and understanding of rules of the road and official  
22    traffic-control devices. Also, the department must be satisfied  
23    that the applicant's experience in driving vehicles which may be  
24    driven by holders of the classes of licenses sought by the  
25    applicant is sufficient to justify the issuance of the license  
26    without further behind-the-wheel training.

27    § 1509. Qualifications for Class 4 license.

28       (a) School bus driver requirements.--No person shall be  
29    issued a Class 4 license unless the person:

30       (1) has successfully completed a course of instruction

as provided in subsection (c); and

(2) has satisfactorily passed an annual physical examination to be given by the physician for the school district by which the person is employed.

(b) Proof of annual physical examination.--Every school bus driver shall carry a certificate issued by an examining physician indicating that the person has passed the prescribed physical examination, including an examination of the eyes, within the preceeding 12 months.

(c) School bus driver training program.--The department shall establish standards for a basic course and a refresher course for school bus drivers. The courses shall be conducted by school districts or groups of school districts or any State or Federal transportation association of school bus operators designated by the school district on a continuing basis, with the costs and responsibility for completion of the training to be borne by the school district or private or parochial school for which the drivers operate.

§ 1510. Issuance and content of driver's license.

(A) GENERAL RULE.--The department shall, upon payment of the required fee, issue to every qualified applicant a driver's license indicating the type or general class of vehicles the licensee may drive, which license may contain a distinguishing number identifying the licensee, the actual name, date of birth, residence address, a color photograph of the licensee, such other information as may be required by the department, and either a facsimile of the signature of the licensee or a space upon which the licensee shall write his usual signature with pen and ink. At the option of the applicant the applicant's social security number may be used as the distinguishing number

1 identifying the licensee. No driver's license shall be valid  
2 until it has been signed by the licensee.

3 (B) IDENTIFICATION CARD.--THE DEPARTMENT SHALL, UPON PAYMENT <—  
4 OF THE REQUIRED FEE, ISSUE AN IDENTIFICATION CARD TO ANY PERSON  
5 WHO HAS MADE APPLICATION THEREFOR IN SUCH MANNER AS THE  
6 DEPARTMENT SHALL PRESCRIBE. THE IDENTIFICATION CARD SHALL HAVE  
7 SUBSTANTIALLY THE SAME CONTENT AS A DRIVER'S LICENSE BUT SHALL  
8 CLEARLY INDICATE THAT IT IS NOT A DRIVER'S LICENSE. UPON FAILURE  
9 OF ANY PERSON TO PASS ANY EXAMINATION REQUIRED UNDER SECTION  
10 1514 (RELATING TO EXPIRATION AND RENEWAL OF DRIVERS' LICENSES),  
11 THE DEPARTMENT SHALL, WHERE APPROPRIATE, ISSUE A COMPLIMENTARY  
12 IDENTIFICATION CARD AS AN EXPRESSION OF GRATITUDE FOR YEARS OF  
13 SAFE DRIVING. THE CARD SHALL ONLY BE ISSUED UPON RECEIPT OF THE  
14 PERSON'S DRIVER'S LICENSE.

15 (C) ANATOMICAL DONORS.--ANY PERSON WHO IS REGISTERED AS AN  
16 ANATOMICAL ORGAN DONOR AND WHO HAS IN HIS POSSESSION A CARD  
17 ISSUED BY THE RECIPIENT ORGANIZATION MAY ATTACH THE CARD TO THE  
18 REVERSE SIDE OF HIS DRIVER'S LICENSE OR IDENTIFICATION CARD IN  
19 SUCH A WAY AS TO PERMIT THE REMOVAL OF THIS CARD SHOULD THE  
20 PERSON NO LONGER DESIRE TO BE DESIGNATED AS AN ANATOMICAL DONOR.  
21 § 1511. Carrying and exhibiting driver's license on demand.

22 (a) General rule.--Every licensee shall possess a driver's  
23 license issued to the licensee at all times when driving a motor  
24 vehicle and shall exhibit the license upon demand by a police  
25 officer, and when requested by the police officer the licensee  
26 shall write the licensee's name in the presence of the officer  
27 in order to provide identity.

28 (b) Production to avoid penalty.--No person ~~charged with~~ <—  
29 ~~violating this section~~ shall be convicted OF VIOLATING THIS <—  
30 SECTION OR SECTION 1501(A) (RELATING TO DRIVERS REQUIRED TO BE

1 LICENSED) if the person produces at the office of the issuing  
2 authority or the arresting officer within five days a driver's  
3 license valid in this Commonwealth at the time of the arrest.

4 § 1512. Restrictions on drivers' licenses.

5 (a) General rule.--The department upon issuing a driver's  
6 license shall have authority whenever good cause appears to  
7 impose restrictions suitable to the licensee's driving ability  
8 with respect to special mechanical control devices required on a  
9 motor vehicle which the licensee may operate or such other  
10 restrictions applicable to the licensee as the department may  
11 determine to be appropriate to assure the safe operation of a  
12 motor vehicle by the licensee.

13 (b) Compliance with restrictions.--No person shall operate a  
14 motor vehicle in any manner in violation of the restrictions  
15 imposed.

16 § 1513. Duplicate and substitute drivers' licenses and  
17 learners' permits.

18 (a) General rule.--If a learner's permit or driver's license  
19 issued under the provisions of this chapter is mutilated, lost,  
20 STOLEN, destroyed or becomes illegible, the person to whom it <—  
21 was issued, upon furnishing proof satisfactory to the department  
22 that the license or permit has been mutilated, lost, STOLEN, <—  
23 destroyed, or has become illegible, shall obtain a duplicate or  
24 substitute license or permit upon payment of the required fee.

25 (b) Return of original.--If a duplicate or substitute  
26 learner's permit or driver's license has been issued, any person  
27 who finds or otherwise obtains possession of the original shall  
28 return the original to the department.

29 § 1514. Expiration and renewal of drivers' licenses.

30 (a) General rule.--Every driver's license shall expire ~~on~~ IN <—



1 THE MONTH OF the licensee's birthdate at yearly intervals of not  
2 more than four years as may be determined by the department.  
3 Every license shall be renewable on or before its expiration  
4 upon application, payment of the required fee, and satisfactory  
5 completion of any examination required or authorized by this  
6 chapter.

7 (b) Examination of applicants for renewal.--The department  
8 may require persons applying for renewal of a driver's license  
9 to take and successfully pass a physical examination if the  
10 department has reason to believe, either based on knowledge of  
11 the person or on statistical inference, that the person may be a  
12 traffic safety hazard. The department may require the applicant  
13 to take and successfully pass such additional tests as the  
14 department may find reasonably necessary to determine the  
15 applicant's qualification according to the type or general class  
16 of license applied for and such examination may include any or  
17 all of the other tests required or authorized upon original  
18 application by section 1508 (relating to examination of  
19 applicant for driver's license). Upon refusal or neglect of the  
20 person to submit to the examination, the driver's license shall  
21 not be renewed until such time as the examination is  
22 successfully completed.

23 (C) REEXAMINATION REQUESTED BY COURT.--THE DEPARTMENT SHALL <—  
24 REEXAMINE ANY PERSON WHEN REQUESTED TO DO SO BY A COURT. UPON  
25 THE CONCLUSION OF SUCH EXAMINATION, THE DEPARTMENT MAY TAKE ANY  
26 OF THE ACTIONS DESCRIBED IN SUBSECTION (B) AND SHALL REPORT ITS  
27 FINDINGS AND ACTION TO THE COURT IF SUCH REPORT IS REQUESTED.

28 ~~(e)~~ (D) Military personnel and dependents.--Notwithstanding <—  
29 subsection (a), a driver's license held by any person who enters  
30 or is on active service in the armed forces of the United States

1 or the spouse or dependent child of the member of the armed  
2 forces who resides with such person shall continue in full force  
3 and effect so long as the active service continues and the  
4 person is absent from this Commonwealth, and for a further  
5 period of 45 days following the date of the person's discharge  
6 or separation from active service or return to this  
7 Commonwealth, unless the driver's license is sooner suspended,  
8 cancelled or revoked for cause according to law. A driver's  
9 license which otherwise would have expired under subsection (a)  
10 shall be valid only if the licensee has in immediate possession,  
11 together with the driver's license, papers indicating actual  
12 service outside this Commonwealth, or discharge or separation,  
13 as the case may be, or proof thereof if a spouse or child.

14 § 1515. Notice of change of name or address.

15 Whenever any person after applying for or receiving a  
16 driver's license moves from the address named in the application  
17 or in the driver's license issued or when the name of a licensee  
18 is changed such person shall, within 15 days thereafter, notify  
19 the department in writing of the old and new addresses or of  
20 such former and new names and of the number of any license then  
21 held by the person.

22 § 1516. Department records.

23 (a) Applications, suspensions and revocations.--The  
24 department shall file every application for a license received  
25 by it and shall maintain suitable records containing:

26 (1) All applications denied and the reasons for denial.

27 (2) All applications granted.

28 (3) The name of every licensee whose license has been  
29 suspended or revoked by the department and the reasons for  
30 such action.

(b) Accidents and convictions.--The department shall file all accident reports and abstracts of court records of convictions received by it under the laws of this Commonwealth and maintain actual or facsimile records or make suitable notations in order that the records of each licensee showing convictions of the licensee and the traffic accidents shall be available for official use. These records shall also be made available to the courts for sentencing purposes.

~~(c) Retention of records. The department shall promulgate rules setting forth the minimum amount of time that must elapse before the department may destroy the following records:~~

~~(1) Expired drivers' licenses.~~

~~(2) Applications for drivers' licenses and learners' permits.~~

~~(d)~~ (C) Dismissal of charges for violations.--If a charge for violation of any of the provisions of this title against any person is dismissed by any court of competent jurisdiction, no record of the charge and dismissal shall be included in the driving record of the person.

~~(e)~~ (D) Updating driving record.--Drivers wishing to have their record reviewed by the department may make such a request in order that the record be brought up to date.

§ 1517. Medical advisory board.

(a) Membership.--There shall be a medical advisory board consisting of 13 members appointed by the department. The board shall be composed of an authorized representative from the Department of Transportation, Department of Justice, Governor's Council on Drug and Alcohol Abuse, Department of Health, Pennsylvania State Police and professionals as follows: One neurologist, one doctor of cardiovascular disease, one doctor of

1 internal medicine, one general practitioner, one  
2 ophthalmologist, one psychiatrist, one orthopedic surgeon and  
3 one optometrist.

4 (b) Formulation of regulations.--The board shall formulate  
5 rules and regulations for adoption by the department on physical  
6 and mental criteria including vision standards relating to the  
7 licensing of drivers under the provisions of this chapter.

8 § 1518. Reports on mental or physical disabilities or  
9 disorders.

10 (a) Definition of disorders and disabilities.--The medical  
11 advisory board shall define disorders characterized by lapses of  
12 consciousness or other mental or physical disabilities affecting  
13 the ability of a person to drive safely for the purpose of the  
14 reports required by this section.

15 (b) Reports by medical personnel.--All physicians and other  
16 persons authorized to diagnose or treat disorders and  
17 disabilities defined by the medical advisory board shall report  
18 to the department, in writing, the full name, date of birth and  
19 address of every person over 15 years of age diagnosed as having  
20 any specified disorder or disability within ten days.

21 (c) Responsibility of institution heads.--The person in  
22 charge of every mental hospital, ~~instruction~~ INSTITUTION or  
23 clinic, or any alcohol or drug treatment facility, shall be  
24 responsible to assure that reports are filed in accordance with  
25 subsection (b).

26 (d) Confidentiality of reports.--The reports required by  
27 this section shall be confidential and shall be used solely for  
28 the purpose of determining the qualifications of any person to  
29 drive a motor vehicle on the highways of this Commonwealth.

30 (e) Use of report as evidence.--No report forwarded under

1 the provisions of this section shall be used as evidence in any  
2 civil or criminal trial except in any proceeding under section  
3 1519(c) (relating to determination of incompetency).

4 (f) Immunity from civil and criminal liability.--No civil or  
5 criminal action may be brought against any person or agency for  
6 providing the information required under this system.

7 § 1519. Determination of incompetency.

8 (a) General rule.--The department, having cause to believe  
9 that a licensed driver or applicant may not be physically or  
10 mentally qualified to be licensed, may obtain the advice of a  
11 physician who shall cause an examination to be made or who shall  
12 designate any other qualified physician. The licensed driver or  
13 applicant may cause a written report to be forwarded to the  
14 department by a physician of the driver's or applicant's choice.  
15 The department shall appoint one or more qualified persons who  
16 shall consider all medical reports and testimony and determine  
17 the competency of the driver or the applicant to drive.

18 (b) Confidentiality of reports and evidence.--Reports  
19 received by the department for the purpose of assisting the  
20 department in determining whether a person is qualified to be  
21 licensed are for the confidential use of the department and may  
22 not be divulged to any person or used as evidence in any trial  
23 except that the reports may be admitted in proceedings under  
24 subsection (c) and any physician conducting an examination  
25 pursuant to subsection (a) may be compelled to testify  
26 concerning observations and findings in such proceedings. The  
27 party calling the physician as an expert witness shall be  
28 obliged to pay the reasonable fee for such testimony.

29 (c) Recall of operating privilege.--The department shall  
30 recall the operating privilege of any person whose incompetency

1 has been established under the provisions of this chapter. The  
2 recall shall be for an indefinite period until satisfactory  
3 evidence is presented to the department in accordance with  
4 regulations to establish that such person is competent to drive  
5 a motor vehicle. Any person aggrieved by recall of the operating  
6 privilege may appeal to the ~~Commonwealth Court~~. COURT OF COMMON <—  
7 PLEAS IN THE MANNER PROVIDED IN SECTION 1551 (RELATING TO  
8 JUDICIAL REVIEW).

9 SUBCHAPTER B

10 COMPREHENSIVE SYSTEM FOR DRIVER EDUCATION

11 AND CONTROL

12 Sec.

13 1531. Administration of system by department.

14 1532. Revocation of operating privilege.

15 1533. Suspension of operating privilege for failure to respond  
16 to citation.

17 1534. Suspension of operating privilege upon acceptance of  
18 Accelerative Rehabilitative Disposition.

19 1535. Schedule of convictions and points.

20 1536. Notice of assignment of points.

21 1537. Removal of points.

22 1538. School, examination or interview on accumulation of  
23 points.

24 1539. Suspension of operating privilege on accumulation of  
25 points.

26 1540. Surrender of license.

27 1541. Period of revocation or suspension of operating  
28 privilege.

29 1542. Driving while operating privilege is suspended or  
30 revoked.

1 1543. Assignment of points for conviction in another state.  
2 1544. Additional period of revocation or suspension.  
3 1545. Restoration of operating privilege.  
4 1546. Suspension or revocation of nonresident's operating  
5 privilege.  
6 1547. Suspension or revocation for conviction in another state.  
7 1548. Chemical test to determine amount of alcohol.  
8 1549. Post conviction examination for driving under influence.  
9 1550. Establishment of schools.  
10 1551. ~~Appeal to court.~~ JUDICIAL REVIEW. <—

11 § 1531. Administration of system by department.

12 The department shall administer an integrated system for  
13 revocation and suspension of operating privileges and for driver  
14 education, testing and control and for this purpose shall  
15 maintain a record as to every driver of convictions of offenses  
16 set forth in this title and such other convictions and offenses  
17 as are punishable by suspension or revocation under this title.

18 § 1532. Revocation of operating privilege.

19 (a) One year revocation.--The department shall revoke the  
20 operating privilege of any person for one year upon receiving a  
21 certified record of the driver's conviction of any of the  
22 following offenses:

23 (1) Homicide by vehicle as required by section 3733  
24 (relating to homicide by vehicle).

25 (2) Any felony under this title or any felony in the  
26 commission of which a court determines that a motor vehicle  
27 was essentially involved.

28 (3) Failure to stop, render aid or identify himself as  
29 required by section 3742 (relating to accidents involving  
30 death or personal injury) in the event of a motor vehicle

1 accident resulting in the death or personal injury of  
2 another.

3 (4) Driving while the operating privilege is revoked.

4 (b) Six month revocation.--The department shall revoke the  
5 operating privilege of any person for six months upon receiving  
6 a certified record of the driver's conviction of any misdemeanor  
7 under this title except as otherwise provided in subsection (a).

8 § 1533. Suspension of operating privilege for failure to  
9 respond to citation.

10 The department ~~by regulation may~~ SHALL suspend the operating <—  
11 privilege of any person who has failed to respond to a citation  
12 to appear before a court of competent jurisdiction of this  
13 Commonwealth or of any state for violation of this title, other  
14 than overtime parking, upon being duly notified as provided by  
15 law. The suspension shall be for an indefinite period until such  
16 person shall respond and pay any fines and penalties imposed.

17 Such suspension ~~by the department under regulations promulgated~~ <—  
18 ~~pursuant to this section~~ shall be in addition to the requirement  
19 of withholding renewal or reinstatement of a violator's driver's  
20 license as prescribed in section 1503(c) (relating to persons  
21 ineligible for licensing).

22 § 1534. Suspension of operating privilege upon acceptance of  
23 Accelerative Rehabilitative Disposition.

24 The department shall suspend the operating privilege of any  
25 person:

26 (1) for one year if the person was arrested for any  
27 offense enumerated in section 1532(a) (relating to revocation  
28 of operating privilege) and was offered and accepted  
29 Accelerative Rehabilitative Disposition under the  
30 Pennsylvania Rules of Criminal Procedure; or



1           (2) for six months if the person was arrested for any  
2       misdemeanor under this title and was offered and accepted  
3       Accelerative Rehabilitative Disposition under the  
4       Pennsylvania Rules of Criminal Procedure.

5   § 1535. Schedule of convictions and points.

6       (A) GENERAL RULE.--A point system for driver education and       <—  
7       control is hereby established which is related to other  
8       provisions for use, suspension and revocation of the operating  
9       privilege as specified under this title. Every driver licensed  
10      in this Commonwealth who is convicted of any of the following  
11      offenses shall be assessed points as of the date of violation in  
12      accordance with the following schedule:

13	Section Number	Offense	Points	
14	1512	Violation of restriction on		
15		driver's license.	2	
16	1571	Violations concerning licenses.	3	
17	3102	Failure to obey policeman or		
18		authorized person.	2	
19	3112(a)(3)(i)	Failure to stop for a red light.	4	<—
20			3	
21	3114(a)(1)	Failure to stop for a flashing		
22		red light.	4	<—
23			3	
24	3302	Failure to yield half of roadway		
25		to oncoming vehicle.	3	
26	3306(a)(1)	Improper passing at crest of grade		
27		or on curve.	5	<—
28			4	
29	3303	Other improper passing.	3	
30	3304	Other improper passing.	3	

1	3305	Other improper passing.	3	
2	3306(a)(2)	Other improper passing.	3	
3	3306(a)(3)	Other improper passing.	3	
4	3307	Other improper passing.	3	
5	3310	Following too closely.	4	<—
6			3	
7	3321	Failure to yield to driver on the		
8		right at intersection.	3	
9	3322	Failure to yield to oncoming driver		
10		when making left turn.	3	
11	3323(b)	Failure to stop for stop signs.	4	<—
12			3	
13	3324	Failure to yield when entering or		
14		crossing roadway between intersections.	3	
15	3332	Improper turning around.	3	
16	3341	Failure to stop for flashing red		
17		lights or gate at railroad crossing.	3	
18	3344	Failure to stop when entering from		
19		alley, driveway or building.	3	
20	3345(a)	Failure to stop for school bus		
21		with flashing red lights.	5	
22		(and 30 days suspension)		
23	3361	Driving too fast for conditions.	4	
24	3362	Exceeding maximum speed.--Over Limit:		
25		6-10	2	
26		11-15	3	
27		<del>16-20</del>	4	<—
28		16-25		
29		<del>21-25</del>	5	<—
30		26-30	5	<—

1			4	
2		(and 15 days suspension)		
3		31-over	5	
4		(and 30 days suspension)		
5	3366(b)	Exceeding special speed limit		
6		in school zones.	3	
7	3366(c)	Exceeding special speed limit		
8		for trucks on downgrades.	3	
9	3542(a)	Failure to yield to pedestrians in		
10		crosswalk.	2	
11	3547	Failure to yield to pedestrian on		
12		sidewalk.	3	
13	3549(a)	Failure to yield to blind pedestrian.	3	
14	3702	Improper backing.	4	<—
15			3	
16	3712	Careless driving.	3	
17	3745	Leaving scene of accident involving		
18		property damage only.	4	
19	(B) MULTIPLE OFFENSES FROM SAME ACT.--IF, A DRIVER IS			<—
20	CONVICTED OF TWO OR MORE OFFENSES AS A RESULT OF THE SAME ACT,			
21	POINTS SHALL BE ASSESSED ONLY FOR THE OFFENSE FOR WHICH THE			
22	GREATEST NUMBER OF POINTS MAY BE ASSESSED.			
23	§ 1536. Notice of assignment of points.			
24	Whenever points are assigned to a driver's record, the			
25	department shall send to that person at his last known address a			
26	letter of notice pointing out the fact and emphasizing the			
27	nature and effects of the point system. Failure to receive such			
28	letter shall not prevent the suspension of the operating			
29	privilege pursuant to this subchapter.			
30	§ 1537. Removal of points.			

1 (A) GENERAL RULE.--Points recorded against any person shall <—  
2 be removed at the rate of three points ~~per year for each year~~ <—  
3 FOR EACH 12 CONSECUTIVE MONTHS in which such person has not <—  
4 committed any violation which results in the assignment of  
5 points or ~~any~~ IN suspension or revocation under this chapter. <—  
6 Removal of points is governed by the date of violation.

7 (B) SUBSEQUENT ACCUMULATION OF POINTS.--WHEN A DRIVER'S <—  
8 RECORD IS REDUCED TO ZERO POINTS AND IS MAINTAINED AT ZERO  
9 POINTS FOR 12 CONSECUTIVE MONTHS, ANY ACCUMULATION OF POINTS  
10 THEREAFTER SHALL BE REGARDED AS AN INITIAL ACCUMULATION OF  
11 POINTS.

12 § 1538. School, examination or interview on accumulation of  
13 points.

14 (a) Initial accumulation of six points.--When any person's  
15 record for the first time shows as many as six points, the  
16 department shall require the person to attend an approved driver  
17 improvement school or undergo a special examination and shall so  
18 notify the person in writing. Upon satisfactory attendance and  
19 completion of the course or upon passing the special examination  
20 AND UPON PAYMENT TO THE DEPARTMENT OF A FEE OF \$10, two points <—  
21 shall be removed from the person's record. Failure to attend and  
22 satisfactorily complete the requirements of driver improvement  
23 school shall result in the suspension of such person's operating  
24 privilege for 60 days. Failure to pass the examination shall  
25 result in the suspension of the operating privilege until the  
26 examination has been satisfactorily completed.

27 (b) Second accumulation of six points.--When any person's  
28 record has been reduced below six points and for the second time  
29 shows as many as six points, the department shall require the  
30 person to ~~undergo an examination as provided for in section 1508~~ <—

1 ~~and shall so notify the person in writing. Upon successfully~~  
2 ~~passing the examination,~~ ATTEND A DEPARTMENTAL HEARING. THE <—  
3 HEARING EXAMINER MAY RECOMMEND THAT THE PERSON:

4 (1) BE REQUIRED TO ATTEND A DRIVER IMPROVEMENT SCHOOL;

5 (2) UNDERGO AN EXAMINATION AS PROVIDED FOR IN SECTION  
6 1508 (RELATING TO EXAMINATION OF APPLICANT FOR DRIVER'S  
7 LICENSE); OR

8 (3) HAVE HIS DRIVER'S LICENSE SUSPENDED FOR A PERIOD NOT  
9 EXCEEDING 15 DAYS.

10 THE DEPARTMENT MAY EFFECT OR MODIFY THE RECOMMENDATION BUT MAY  
11 NOT INCREASE ANY SUSPENSION BEYOND 15 DAYS. UPON COMPLIANCE WITH  
12 THE ORDER OF THE DEPARTMENT AND UPON PAYMENT TO THE DEPARTMENT  
13 OF A FEE OF \$10, two points shall be removed from the person's  
14 record. Failure to pass the AN examination shall result in the <—  
15 suspension of such person's operating privilege until the  
16 examination has been satisfactorily completed.

17 (c) Subsequent accumulations of six points.--When any  
18 person's record has been reduced below six points and for the  
19 third or subsequent time shows as many as six points, the  
20 department may require the driver to ~~submit to~~ ATTEND a <—  
21 departmental hearing to determine whether the person's operating  
22 privilege shall be suspended for a period not to exceed ~~15~~ 30 <—  
23 days. Failure to attend the hearing and to comply with the  
24 requirements of the findings of the department hearing shall  
25 result in the suspension of the operating privilege until the  
26 person has complied.

27 (d) Accumulation of eleven points.--When any person's record  
28 shows an accumulation of 11 points prior to completing any  
29 requirement of this section, the department shall suspend the  
30 operating privilege of the person in accordance with section

1 1539 (relating to suspension of operating privilege on  
2 accumulation of points).

3 § 1539. Suspension of operating privilege on accumulation of  
4 points.

5 (a) General rule.--When any person's record shows an  
6 accumulation of 11 points or more, the department shall suspend  
7 the operating privilege of the person as provided in subsection  
8 (b).

9 (b) Duration of suspension.--The first suspension shall be  
10 for a period of 5 days for each point, the second suspension  
11 shall be for a period of 10 days for each point, the third  
12 suspension shall be for a period of 15 days for each point and  
13 any subsequent suspension shall be for a period of one year.

14 (c) Determination of subsequent suspensions.--Every  
15 suspension and revocation under any provision of this subchapter  
16 shall be counted in determining whether a suspension is a  
17 second, third or subsequent suspension.

18 (d) Section not exclusive.--Suspension under this section is  
19 in addition to any suspension mandated under section 1535  
20 (relating to schedule of convictions and points).

21 § 1540. Surrender of license.

22 (a) Surrender to court.--Upon a conviction for any offense  
23 which calls for mandatory revocation in accordance with section  
24 1532 (relating to revocation of operating privilege) or upon  
25 offer and acceptance of Accelerative Rehabilitative Disposition  
26 under section 1534 (relating to suspension of operating  
27 privilege upon acceptance of Accelerative Rehabilitative  
28 Disposition), the court ~~the court~~ OR THE DISTRICT ATTORNEY shall <—  
29 require the surrender ~~to the court~~ of any driver's license then <—  
30 held by the defendant and shall forward the driver's license

1 together with a record of the conviction or Accelerative or  
2 Rehabilitative Disposition to the department.

3 (b) Surrender to department.--Upon the suspension of the  
4 operating privilege of any person by the department, the  
5 department shall forthwith notify the person in writing to  
6 surrender his driver's license to the department for the term of  
7 suspension.

8 § 1541. Period of revocation or suspension of operating  
9 privilege.

10 (a) Commencement of period.--The period of revocation or  
11 suspension of the operating privilege shall commence on the date  
12 on which the driver's license was surrendered to and received by  
13 the court or the department, as the case may be. The period of  
14 revocation or suspension of a nonresident licensed driver or an  
15 unlicensed driver shall commence on the date of conviction, or  
16 in the case of a revocation or suspension without a conviction,  
17 on a date determined by the department in accordance with its  
18 regulations. THE DEPARTMENT MAY, UPON REQUEST OF THE PERSON <—  
19 WHOSE LICENSE IS SUSPENDED, DELAY THE COMMENCEMENT OF THE PERIOD  
20 OF SUSPENSION FOR A PERIOD NOT EXCEEDING SIX MONTHS WHENEVER THE  
21 DEPARTMENT DETERMINES THAT FAILURE TO GRANT THE EXTENSION WILL  
22 RESULT IN HARDSHIP TO THE PERSON WHOSE LICENSE HAS BEEN  
23 SUSPENDED.

24 (b) Eligibility for restoration of operating privilege.--Any  
25 person whose operating privilege has been revoked or suspended  
26 shall not be eligible for the restoration of the operating  
27 privilege until the expiration of the period of revocation or  
28 suspension.

29 (c) Restoration of revoked operating privilege.--Any person  
30 whose operating privilege has been revoked is not entitled to

1 automatic restoration of the operating privilege. Such person  
2 may apply for a license if permitted under the provisions of  
3 this chapter and shall be issued a learner's permit under  
4 section 1505 (relating to learners' permits) upon expiration of  
5 the revocation.

6 § 1542. Driving while operating privilege is suspended or  
7 revoked.

8 (a) Offense defined.--Any person who drives a motor vehicle  
9 on any highway of this Commonwealth at a time when the operating  
10 privilege is suspended, revoked or recalled is guilty of a  
11 ~~misdemeanor of the third degree~~ SUMMARY OFFENSE and shall, upon <—  
12 conviction, be ~~punished in accordance with section 6503~~ <—  
13 ~~(relating to penalties for misdemeanors)~~. SENTENCED TO PAY A <—  
14 FINE OF NOT LESS THAN \$100.

15 (b) Extending existing suspension or revocation.--The  
16 department, upon receiving a certified record of the conviction  
17 of any person under this section upon a charge of driving a  
18 vehicle while the operating privilege was suspended, shall  
19 revoke such privilege for an additional period of six months  
20 from the date the person would otherwise have been eligible to  
21 be restored. If the conviction was upon a charge of driving  
22 while the operating privilege was revoked, the department shall  
23 extend the revocation for an additional period of one year from  
24 the date the person would otherwise have been entitled to apply  
25 for such privilege.

26 § 1543. Assignment of points for conviction in another state.

27 (a) General rule.--In the case of a conviction in another  
28 state and if a reciprocity agreement exists with the state as  
29 provided in Subchapter C of Chapter 61 (relating to  
30 reciprocity), the department shall assign points when the



1 conviction, if committed in this Commonwealth, would result in  
2 the assignment of points to the person's record.

3 (b) Hearing.--Upon receipt of notice of assignment of points  
4 under this section, the person may request a hearing and the  
5 department shall hold a hearing to determine if the assignment  
6 of points would constitute an injustice. The request for hearing  
7 shall operate as a supersedeas.

8 § 1544. Additional period of revocation or suspension.

9 (a) Additional point accumulation.--When any person's record  
10 shows an accumulation of additional points during a period of  
11 suspension or revocation, the department shall extend the  
12 existing period of suspension or revocation at the rate of five  
13 days for each additional point and the person shall be so  
14 notified in writing.

15 (b) Additional suspension.--When any person's record shows  
16 an additional suspension of the operating privilege assessed  
17 during a period of suspension or revocation, the department  
18 shall extend the existing period of suspension or revocation for  
19 the appropriate period and the person shall be so notified in  
20 writing.

21 (c) Revocation during suspension.--When any person's record  
22 shows an additional conviction calling for revocation of the  
23 operating privilege during a period of suspension, the  
24 department shall add the appropriate revocation onto the period  
25 of suspension and the person shall be so notified in writing.

26 (d) Revocation during revocation.--When any person's record  
27 shows a conviction calling for revocation of the operating  
28 privilege during a period of revocation, the department shall  
29 extend the existing period of revocation for the appropriate  
30 period and the person shall be so notified in writing.

1 § 1545. Restoration of operating privilege.

2 Upon the restoration of any person's operating privilege  
3 which has been suspended or revoked pursuant to this subchapter,  
4 such person's record shall show five points, except that any  
5 additional points assessed against the person since the date of  
6 the last ~~conviction~~ VIOLATION resulting in the suspension or <—  
7 revocation shall be added to such five points unless the person  
8 has served an additional period of suspension or revocation  
9 pursuant to section 1544(a) (relating to additional period of  
10 revocation or suspension).

11 § 1546. Suspension or revocation of nonresident's operating  
12 privilege.

13 (a) General rule.--The privilege of driving a motor vehicle  
14 on the highways of this Commonwealth given to a nonresident  
15 shall be subject to suspension or revocation by the department  
16 in like manner and for like cause as a resident's operating  
17 privilege.

18 (b) Transmitting conviction record to state of residence.--  
19 The department shall, upon receiving a record of the conviction  
20 in this Commonwealth of a nonresident driver of a motor vehicle  
21 of any offense, forward a certified copy of the record to the  
22 motor vehicle administrator in the state wherein the person so  
23 convicted is a resident if there is a reciprocity agreement with  
24 the other state.

25 (c) Transmitting department action to state of residence.--  
26 When a nonresident's operating privilege is suspended or  
27 revoked, the department shall forward a certified copy of the  
28 record of such action to the motor vehicle administrator in the  
29 state wherein such person resides if there is a reciprocity  
30 agreement with the other state.

1 § 1547. Suspension or revocation for conviction in another  
2 state.

3 (a) General rule.--The department shall suspend or revoke  
4 the operating privilege of any resident of this Commonwealth or  
5 the privilege of a nonresident to drive a motor vehicle in this  
6 Commonwealth upon receiving notice of the conviction of the  
7 person in another state of an offense which, if committed in  
8 this Commonwealth, would be ground for a suspension or  
9 revocation of the operating privilege if there is a reciprocity  
10 agreement with the other state.

11 (b) Hearing.--Upon receipt of notice of suspension or  
12 revocation under this section, the person may request a hearing  
13 and the department shall hold a hearing to determine if the  
14 suspension or revocation of his operating privilege would  
15 constitute an injustice. The request for a hearing shall operate  
16 as a supersedeas.

17 § 1548. Chemical test to determine amount of alcohol.

18 (a) General rule.--Any person who operates a motor vehicle  
19 in this Commonwealth shall be deemed to have given consent to a  
20 chemical test of breath or blood for the purpose of determining  
21 the alcoholic content of blood if a police officer shall have  
22 reasonable grounds to believe the person to have been driving a  
23 motor vehicle while under the influence of alcohol. The test  
24 shall be administered by qualified personnel and with equipment  
25 approved by the department. Qualified personnel means a  
26 physician or a technician acting under the physician's direction  
27 or a police officer who has fulfilled the training requirements  
28 in the use of such equipment in a training program approved by  
29 the department.

30 (b) Suspension for refusal.--If any person is requested to

1 submit to a chemical test and refuses to do so, the test shall  
2 not be given but upon notice by the police officer, the  
3 department shall suspend the operating privilege of the person  
4 for a period of six months. It shall be the duty of the police  
5 officer to inform the person that the person's operating  
6 privilege will be suspended if such person refuses to submit to  
7 a chemical test. Any person whose operating privilege is  
8 suspended under the provisions of this section shall have the  
9 same right of appeal as provided for in cases of suspension for  
10 other reasons.

11 (c) Test results admissible in evidence.--In any summary  
12 proceeding or criminal proceeding in which the defendant is  
13 charged with driving a motor vehicle while under the influence  
14 of alcohol, the amount of alcohol in the defendant's blood, as  
15 shown by a chemical analysis of his breath or blood, which  
16 analysis was conducted with equipment approved by the department  
17 and operated by qualified personnel, shall be admissible in  
18 evidence.

19 (d) Presumptions from amount of alcohol.--If chemical  
20 analysis of a person's breath or blood shows:

21 (1) that the amount of alcohol by weight in the blood of  
22 the person tested is 0.05% or less, it shall be presumed that  
23 the person tested was not under influence of alcohol and the  
24 person shall not be charged with any violation under section  
25 3732(a)(1) or (2) (relating to driving under influence of  
26 alcohol or controlled substance), or if the person was so  
27 charged prior to the test, the charge shall be void ab  
28 initio; or

29 (2) that the amount of alcohol by weight in the blood of  
30 the person tested is in excess of 0.05% but less than 0.10%,

1       this fact shall not give rise to any presumption that the  
2       person tested was or was not under the influence of alcohol,  
3       but this fact may be considered with other competent evidence  
4       in determining whether the person was or was not under the  
5       influence of alcohol.

6       (e) Other evidence admissible.--Subsections (a) through (d)  
7       shall not be construed as limiting the introduction of any other  
8       competent evidence bearing upon the question whether or not the  
9       defendant was under the influence of alcohol.

10      (f) Test results available to defendant.--Upon the request  
11      of the person tested, the results of any chemical test shall be  
12      made available to him or his attorney.

13      (g) Blood test in lieu of breath test.--If for any reason a  
14      person is physically unable to supply enough breath to complete  
15      a chemical test, a physician or a technician acting under the  
16      physician's direction may withdraw blood for the purpose of  
17      determining its alcoholic content. The chemical analysis of the  
18      blood taken under these circumstances shall be admissible in  
19      evidence in the same manner as are the results of the breath  
20      chemical test. The operating privilege of any person who refuses  
21      to allow a blood test under the above circumstances shall be  
22      suspended pursuant to subsection (b).

23      (h) Test by personal physician.--The person tested shall be  
24      permitted to have a physician of his own choosing administer an  
25      additional breath or blood chemical test and the results of the  
26      test shall also be admissible in evidence. The chemical test  
27      given at the direction of the police officer shall not be  
28      delayed by a person's attempt to obtain an additional test.

29      (i) Request by driver for test.--Any person involved in an  
30      accident or placed under arrest for driving a motor vehicle

1 while under the influence of alcohol may request that he be  
2 given a chemical test of his breath. Such requests shall be  
3 honored when it is reasonably practicable to do so.

4 § 1549. Post conviction examination for driving under  
5 influence.

6 (a) Pre-sentencing examination.--Before sentencing any  
7 person convicted ~~for a second or subsequent offense~~ of violating <—  
8 section 3732 (relating to driving under influence of alcohol or  
9 controlled substance) ~~committed within five years of a prior~~ <—  
10 ~~offense of section 3732~~, the court shall conduct or order an  
11 appropriate examination or examinations to determine whether the  
12 person needs or would benefit from treatment for alcohol or drug  
13 abuse.

14 (b) Order for treatment.--After the examination, the court  
15 may, upon a hearing and determination that the person is an  
16 habitual user of alcohol or drugs, order supervised treatment on  
17 an outpatient basis, or upon additional determinations that the  
18 person constitutes a danger to himself or others and that  
19 adequate treatment facilities are available, the court may order  
20 him committed for treatment at a facility or institution  
21 approved by the Governor's Council on Drug and Alcohol Abuse. No  
22 commitment or supervised treatment on an outpatient basis shall  
23 exceed one year.

24 (c) Examination by own physician.--Any person subject to  
25 this section may be examined by a physician of his own choosing  
26 and the results of the examination shall be considered by the  
27 court.

28 (d) Review of order.--Upon motion duly made by the convicted  
29 person, an attorney, a relative or an attending physician, the  
30 court at any time after an order of commitment shall review the

1 order. After determining the progress of treatment, the court  
2 may order its continuation, the person's release or supervised  
3 treatment on an outpatient basis.

4 § 1550. Establishment of schools.

5 (a) Driver improvement schools.--The department is  
6 authorized to establish and maintain driver improvement schools  
7 throughout this Commonwealth. The department shall approve and  
8 conduct an annual review of the course material for the schools.  
9 The curriculum to be presented must be uniform throughout this  
10 Commonwealth. All instructors shall be properly certified by the  
11 department.

12 (b) Course of instruction on alcohol and driving.--The  
13 department in conjunction with the Governor's Council on Drug  
14 and Alcohol Abuse shall establish and maintain a course of  
15 instruction on the problems of alcohol and driving. The  
16 curriculum of the course of instruction established by the  
17 department and the Governor's Council on Drug and Alcohol Abuse  
18 shall be uniform throughout this Commonwealth and shall be  
19 reviewed by the department on an annual basis. This course shall  
20 be applicable to persons with no prior convictions for driving  
21 or being in actual physical control of a motor vehicle while  
22 under the influence of alcohol or any controlled substance.

23 § 1551. ~~Appeal to court.~~ JUDICIAL REVIEW.

<—

24 (a) General rule.--Any person denied a driver's license or  
25 whose operating privilege has been RECALLED, canceled, suspended <—  
26 or revoked by the department shall have the right to appeal by  
27 filing a petition within 30 days from the date notice is mailed  
28 for a hearing in the court of common pleas of the county in  
29 which the driver resides or, in the case of cancellation,  
30 suspension or revocation of a nonresident's operating privilege,

1 in the county in which the offense giving rise to the RECALL, <—  
2 cancellation, suspension or revocation occurred.

3 (b) Supersedeas.--The filing of the petition shall operate  
4 as a supersedeas and no suspension, cancellation or revocation  
5 shall be imposed against such person until final determination  
6 of the matter.

7 (c) Jurisdiction and proceedings of court.--The court is  
8 hereby vested with jurisdiction and it shall be its duty to set  
9 the matter for hearing forthwith upon 30 days written notice to  
10 the department and to determine whether the petitioner is in  
11 fact the person whose operating privilege is subject to the  
12 RECALL, suspension, cancellation or revocation. <—

13 SUBCHAPTER C

14 VIOLATIONS

15 Sec.

16 1571. Violations concerning licenses.

17 1572. Cancellation of driver's license.

18 1573. Driving under foreign license during suspension or  
19 revocation.

20 1574. Permitting unauthorized person to drive.

21 1575. Permitting violation of title.

22 1576. Local authorities liable for negligence of their  
23 employees.

24 § 1571. Violations concerning licenses.

25 (a) Offenses defined.--It is unlawful for any person:

26 (1) To exhibit or cause or permit to be exhibited or  
27 have in possession any RECALLED, canceled, suspended, <—  
28 revoked, fictitious or fraudulently altered driver's license.

29 (2) To lend a driver's license to any other person or  
30 knowingly permit the use thereof by another. <—



(3) To exhibit or represent as one's own any driver's license not issued to the person.

(4) To fail or refuse to surrender to the department upon lawful demand a canceled, suspended, revoked, fictitious or fraudulently altered driver's license.

(b) Penalty.--Any person violating any of the provisions of this section is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$50.

§ 1572. Cancellation of driver's license.

The department may cancel any driver's license upon determining that the licensee was not entitled to the issuance or that the person failed to give the required or correct information or committed fraud in making the application or in obtaining the license or the fee has not been paid. Upon the cancellation, the licensee shall immediately surrender the canceled license to the department.

§ 1573. Driving under foreign license during suspension or revocation.

Any resident or nonresident whose operating privilege to drive a motor vehicle in this Commonwealth has been RECALLED, CANCELLED, suspended or revoked as provided in this title shall not drive a motor vehicle in this Commonwealth under a license or permit issued by any other jurisdiction or otherwise during the suspension or after the RECALL, CANCELLATION OR revocation until a new driver's license is obtained when and as permitted under this chapter.

§ 1574. Permitting unauthorized person to drive.

(a) General rule.--No person shall authorize or knowingly permit a motor vehicle owned by him or under his control to be driven upon any highway by any person who is not authorized

1 under this chapter or who is not licensed for the type or class  
2 of vehicle to be driven.

3 (b) Penalty.--Any person violating the provisions of  
4 subsection (a) is guilty of a summary offense and shall be  
5 jointly and severally liable with the driver for any damages  
6 caused by the negligence of such driver in operating the  
7 vehicle.

8 § 1575. Permitting violation of title.

9 (a) General rule.--No person shall authorize or ~~knowingly~~ <—  
10 permit a motor vehicle owned by him or under his control to be  
11 driven in violation of any of the provisions of this title.

12 (b) Penalty.--Any person violating the provisions of  
13 subsection (a) is guilty of the same offense as the driver of  
14 such vehicle and subject to the same penalties including any  
15 suspension or revocation of the operating privilege or the  
16 assessment of points.

17 § 1576. Local authorities liable for negligence of their  
18 employees.

19 Every local authority within this Commonwealth shall be  
20 jointly and severally liable with any employee for damages  
21 caused by the negligence of the employee while operating a motor  
22 vehicle or fire department equipment upon a highway in the  
23 course of his employment. Every local authority shall also be  
24 jointly and severally liable with any member of a volunteer fire  
25 company for any damage caused by the negligence of the member  
26 while operating a motor vehicle or fire department equipment  
27 used by or belonging to the volunteer fire company while going  
28 to, attending or returning from a fire or while engaged in any  
29 other proper use of the motor vehicle or fire department  
30 equipment for the volunteer fire company.

CHAPTER 17

FINANCIAL RESPONSIBILITY

Subchapter

A. General Provisions

B. Deposit of Security

C. Proof of Future Responsibility

SUBCHAPTER A

GENERAL PROVISIONS

Sec.

1701. Application of chapter.

1702. Administration of chapter.

1703. Availability of other remedies.

1704. Transfer of suspended registration to evade chapter.

§ 1701. Application of chapter.

This chapter does not apply with respect to any motor vehicle owned by the United States, the Commonwealth or any political subdivision.

§ 1702. Administration of chapter.

The department shall administer and enforce the provisions of this chapter and may make rules and regulations necessary for the administration of this chapter.

§ 1703. Availability of other remedies.

This chapter shall not be construed as preventing the plaintiff in any action at law from relying for relief upon other remedies provided by law.

§ 1704. Transfer of suspended registration to evade chapter.

(a) General rule.--If the registrations of any vehicles are suspended under this chapter, the registrations shall not be transferred, nor the vehicles registered in any other name, until the department is satisfied that the transfer of

1 registrations is proposed in good faith and not for the purpose  
2 or with the effect of defeating the purposes of this chapter.

3 (b) Sale of repossessed vehicle.--This section does not  
4 apply to or affect the registration of any motor vehicle sold by  
5 a person who, pursuant to the terms or conditions of any written  
6 instrument giving a right of repossession, has exercised such  
7 right and has repossessed the motor vehicle from a person whose  
8 registration has been suspended under the provisions of this  
9 chapter.

10 (c) Rights of lienholders and lessors.--This chapter does  
11 not in any way affect the rights of any conditional vendor,  
12 chattel mortgagee or lessor of a motor vehicle registered in the  
13 name of another person who becomes subject to the provisions of  
14 this chapter.

## 15 SUBCHAPTER B

### 16 DEPOSIT OF SECURITY

17 Sec.

18 1721. Deposit of security following accident.

19 1722. Suspension of license of resident involved in  
20 accident in another state.

21 1723. Exceptions to security requirements.

22 1724. Duration of suspension.

23 1725. Coverage and revision of security.

24 1726. Custody, disposition and return of security.

25 1727. Matters not evidence in civil actions.

26 1728. Appeal to court from action of department.

27 § 1721. Deposit of security following accident.

28 (a) Determination of amount.--If, 20 days after the receipt  
29 of a report of a motor vehicle accident within this Commonwealth  
30 as provided for in Subchapter C of Chapter 37 (relating to

1 accidents and accident reports), the department does not have on  
2 file satisfactory evidence that the person who would otherwise  
3 be required to file security under subsection (b) has been  
4 released from liability, has been finally adjudicated not to be  
5 liable, has executed a warrant for confession of judgment or  
6 written agreement providing for payment of all claims for  
7 injuries or damages resulting from the accident in such manner  
8 as the parties have agreed, the department shall determine the  
9 amount of security which in its judgment shall be sufficient to  
10 satisfy any judgment or judgments that may be recovered against  
11 each driver or owner for damages resulting from the accident  
12 upon the basis of reports, information or other evidence  
13 submitted to or obtained by the department.

14 (b) Suspensions for failure to deposit security.--The  
15 department shall, within 60 days after the receipt of a report  
16 of a motor vehicle accident, suspend the operating privilege of  
17 each driver and all registrations of each owner of a motor  
18 vehicle in any manner involved in such accident; and if such  
19 owner is a nonresident, the privilege of using within this  
20 Commonwealth any motor vehicle owned by him, unless the driver  
21 or owner or both shall deposit security in the sum determined by  
22 the department. Notice of the suspension shall be sent by the  
23 department to the driver and owner not less than ten days prior  
24 to the effective date of the suspension and shall state the  
25 amount required as security. Where erroneous information is  
26 given the department with respect to the matters set forth in  
27 subsection (c), it shall take appropriate action, as provided in  
28 this section, within 60 days after receipt of correct  
29 information with respect to such matters.

30 (c) Exceptions.--This section does not apply under the

1 conditions stated in section 1723 (relating to exceptions to  
2 security requirements) or to any of the following:

3 (1) The driver or owner, if the owner had in effect at  
4 the time of such accident, the motor vehicle insurance  
5 required in section 104 of the act of July 19, 1974 (P.L.489,  
6 No.176), known as the "Pennsylvania No-fault Motor Vehicle  
7 Insurance Act," covering the motor vehicle involved in the  
8 accident.

9 (2) The driver, if not the owner of the motor vehicle,  
10 if at the time of the accident the driver's operation of the  
11 motor vehicle was covered by the motor vehicle insurance  
12 required in section 104 of the "Pennsylvania No-fault Motor  
13 Vehicle Insurance Act."

14 (3) The driver or owner if the liability of the driver  
15 or owner for damages resulting from such accident is, in the  
16 judgment of the department, covered by any other form of  
17 liability insurance policy or bond, in an amount sufficient  
18 to satisfy any judgment or judgments as determined by the  
19 department in accordance with subsection (a), or in the  
20 amounts provided in section 104 (a) of the "Pennsylvania No-  
21 fault Motor Vehicle Insurance Act," whichever is less.

22 (d) Cash or bond as security.--Security required under  
23 subsection (b) shall be in the form of cash or a bond issued by  
24 surety company authorized to do business in this Commonwealth  
25 or, if not authorized to do business in this Commonwealth, if  
26 the surety company shall execute a power of attorney authorizing  
27 the department to accept service on its behalf of notice or  
28 process in any action upon the arising out of the accident.  
29 Security shall be in an amount sufficient to satisfy any  
30 judgment or judgments as determined by the department in

1 accordance with subsection (a), or in the amounts provided in  
2 section 104 (a) of the "Pennsylvania No-fault Motor Vehicle  
3 Insurance Act," whichever is less.

4 § 1722. Suspension of license of resident involved in accident  
5 in another state.

6 Upon receipt of certification that the operating privilege of  
7 a resident of this Commonwealth has been suspended in any other  
8 state pursuant to a law providing for suspension for failure to  
9 deposit security for the payment of judgments arising out of a  
10 motor vehicle accident under circumstances which would require  
11 the department to suspend a nonresident's operating privilege  
12 had the accident occurred in this Commonwealth, and if the law  
13 of the state contains reciprocal provisions, the department  
14 shall suspend the operating privilege of the resident if he was  
15 the driver and involved in the accident. The suspension shall  
16 continue until the resident furnishes evidence of his compliance  
17 with the law of the other state relating to the deposit of  
18 security.

19 § 1723. Exceptions to security requirements.

20 The requirements as to security and suspension of section  
21 1721 (relating to deposit of security following accident) do not  
22 apply to any of the following:

23 (1) The driver and the owner of a motor vehicle involved  
24 in an accident in which no injury or damage was caused to the  
25 person or property of persons other than the driver or owner.

26 (2) The driver and the owner of a motor vehicle legally  
27 parked at the time of the accident.

28 (3) The owner of a motor vehicle if at the time of the  
29 accident the vehicle was being operated without his  
30 permission, express or implied, or was parked by a person who

1 had been operating the motor vehicle without such permission.

2 (4) If prior to the date that the department would  
3 otherwise suspend the operating privilege and registrations  
4 under section 1721 evidence is filed with the department  
5 indicating to its satisfaction that the person who would  
6 otherwise have to file security has been released from  
7 liability, or has been finally adjudicated not to be liable,  
8 or has executed a warrant for confession of judgment or a  
9 written agreement acceptable to the injured parties, for  
10 payment of all claims for injuries or damages resulting from  
11 one accident in such manner as the parties have agreed.

12 (5) In the event a person involved in an accident as  
13 described in this chapter fails to submit any information  
14 requested by the department indicating the extent of his  
15 injuries or the damage to his property, within 50 days after  
16 the accident, and the department does not have sufficient  
17 evidence on which to base an evaluation of the injuries or  
18 damage, then the department, after reasonable notice to such  
19 person if it is possible to give such notice, otherwise  
20 without such notice, shall not require any deposit of  
21 security for the benefit or protection of such person.

22 § 1724. Duration of suspension.

23 (a) General rule.--The operating privilege and registrations  
24 suspended as provided in section 1721 (relating to deposit of  
25 security following accident) shall remain suspended and shall  
26 not be renewed nor any registration be issued to the person  
27 affected until:

28 (1) such person deposits or has deposited on his behalf  
29 the security required under section 1721;

30 (2) two years shall have elapsed following the date of



1 the accident and evidence satisfactory to the department has  
2 been filed that no action for damages arising from the  
3 accident has been instituted; or

4 (3) evidence satisfactory to the department has been  
5 filed of a release from liability, a final adjudication of  
6 nonliability, or a warrant for confession of judgment or  
7 written agreement providing for payment of all claims for  
8 injuries or damages resulting from the accident in such  
9 manner as the parties have agreed.

10 (b) Default in payment of installment.--Upon notice of any  
11 default in the payment of any installment:

12 (1) under any confession of judgment, the department  
13 shall suspend the driver's privilege and the owner's  
14 registrations or of the person defaulting, which shall not be  
15 restored unless and until the entire amount provided for in  
16 the confession of judgment has been paid; or

17 (2) under any written agreement, the department shall  
18 suspend the driver's privilege and the owner's registrations  
19 or of the person defaulting, which shall not be restored  
20 unless and until:

21 (i) such person deposits and thereafter maintains  
22 security as required under section 1721 in such amount as  
23 the department may then determine; or

24 (ii) two years have elapsed following the date of  
25 the accident and no action upon the agreement has been  
26 instituted in a court in this Commonwealth.

27 § 1725. Coverage and revision of security.

28 (a) Designation of persons covered.--A person depositing  
29 security in accordance with section 1721 (relating to deposit of  
30 security following accident) shall specify in writing the person

1 or persons on whose behalf the deposit is made, and at any time  
2 while the deposit is in the custody of the department or State  
3 Treasurer the person depositing it may, in writing, amend the  
4 specification of the person or persons on whose behalf the  
5 deposit is made to include an additional person or persons. A  
6 single deposit of security shall be applicable only on behalf of  
7 persons required to furnish security because of the same  
8 accident.

9 (b) Subsequent change of amount.--The department may change  
10 the amount of security ordered upon the production of evidence  
11 as to the probable measure of damages, if, in its judgment, the  
12 amount ordered is excessive or insufficient. In case the  
13 security originally ordered has been deposited, the excess  
14 deposited over the reduced amount ordered shall be returned to  
15 the depositor or his personal representative notwithstanding the  
16 provisions of section 1726 (relating to custody, disposition and  
17 return of security). In case the security originally deposited  
18 is found to be insufficient, the deficiency under the increased  
19 amount ordered shall be deposited or, in default thereof, the  
20 driver or owner or both shall be subject to the provisions of  
21 section 1721(b).

22 § 1726. Custody, disposition and return of security.

23 Security deposited in compliance with the requirements of  
24 this chapter shall be placed by the department in the custody of  
25 the State Treasurer and shall be applicable only to the payment  
26 of a judgment or judgments rendered against the person or  
27 persons on whose behalf the deposit was made for damages arising  
28 out of the accident in question in an action at law. The  
29 deposit, or any balance thereof, shall be returned to the  
30 depositor or his personal representative when evidence,

1 satisfactory to the department, has been filed that there has  
2 been a release from liability, or a final adjudication of  
3 nonliability, the driver or owner, if the liability of the  
4 driver or owner for damages resulting from such accident is, in  
5 the judgment of the department, covered by any other form of  
6 liability insurance policy or bond in an amount sufficient to  
7 satisfy any judgment or judgments as determined by the  
8 department in accordance with subsection (a), or in the amounts  
9 provided in section 104 of the "Pennsylvania No-fault Motor  
10 Vehicle Insurance Act," whichever is less, or when after the  
11 expiration of two years following the date of the accident and  
12 evidence satisfactory to the department has been filed that no  
13 action for damages arising from such accident has been  
14 instituted.

15 § 1727. Matters not evidence in civil actions.

16 Neither the required report, the action taken by the  
17 department pursuant to this chapter, the findings, if any, of  
18 the department upon which action is based nor the security filed  
19 as provided in section 1721 (relating to deposit of security  
20 following accident) shall be referred to in any way nor be any  
21 evidence of the negligence or due care of either party at the  
22 trial of any action at law to recover damages.

23 § 1728. Appeal to court from action of department.

24 Any person aggrieved by an order or action of the department  
25 under this subchapter shall have the same right of appeal as  
26 provided in section 1551 (relating to appeal to court).

27 SUBCHAPTER C

28 PROOF OF FUTURE RESPONSIBILITY

29 Sec.

30 1741. Court reports on nonpayment of judgments.

1 1742. Suspension for nonpayment of judgments.

2 1743. Continuation of suspension until judgments paid and  
3 proof given.

4 1744. Payments sufficient to satisfy judgments.

5 1745. Installment payment of judgments.

6 1746. Proof of financial responsibility after suspension or  
7 revocation.

8 1747. Providing financial responsibility.

9 § 1741. Court reports on nonpayment of judgments.

10 (a) General rule.--Whenever any person fails within 60 days  
11 to satisfy any judgment arising from a motor vehicle accident,  
12 the prothonotary of the court in which the judgment is rendered  
13 shall immediately forward to the department a certified copy of  
14 the judgment.

15 (b) Notice to state of nonresident defendant.--If the  
16 defendant named in any certified copy of a judgment reported to  
17 the department is a nonresident, the department shall transmit a  
18 certified copy of the judgment to the official in charge of the  
19 issuance of licenses and registration certificates of the state  
20 of which the defendant is a resident.

21 § 1742. Suspension for nonpayment of judgments.

22 (a) General rule.--The department, upon receipt of a  
23 certified copy of a judgment, shall suspend the operating  
24 privilege of each driver and registration of each owner against  
25 whom the judgment was rendered except as otherwise provided in  
26 this section and in section 1745 (relating to installment  
27 payment of judgments).

28 (b) Nonsuspension with consent of judgment creditor.--If the  
29 judgment creditor consents in writing, in such form as the  
30 department may prescribe, that the judgment debtor's operating

1 privilege and registrations be retained or restored, the  
2 department shall not suspend or restore for six months from the  
3 date of the consent, and thereafter until the consent is revoked  
4 in writing, notwithstanding default in the payment of the  
5 judgment, or of any installment thereof prescribed in section  
6 1745, provided the judgment debtor furnishes proof of financial  
7 responsibility.

8 (c) Insurance in effect at time of accident.--Any person  
9 whose operating privilege or registrations have been suspended,  
10 or are about to be suspended or become subject to suspension,  
11 under the provisions of this chapter, shall be relieved from the  
12 effect of the judgment as prescribed in this chapter if the  
13 person files evidence satisfactory to the department that the  
14 insurance required by section 401 (a) of the "Pennsylvania No-  
15 fault Motor Vehicle Insurance Act," was in force and effect at  
16 the time of the accident resulting in the judgment and is or  
17 should be available for the satisfaction of the judgment. If the  
18 required insurance is not available because the insurance  
19 company has gone into receivership or bankruptcy, the person  
20 shall only be required to present to or file with the department  
21 proper evidence that an insurance policy was in force and effect  
22 at the time of the accident.

23 § 1743. Continuation of suspension until judgments paid and  
24 proof given.

25 A person's operating privilege and all registrations shall  
26 remain suspended and shall not be renewed nor shall any  
27 registration be thereafter issued in the name of such person  
28 unless and until every such judgment is stayed, satisfied in  
29 full or to the extent provided in this subchapter, and until the  
30 person furnishes proof of financial responsibility as required.

1 § 1744. Payments sufficient to satisfy judgments.

2 (a) General rule.--Judgments shall for the purpose of this  
3 chapter only be deemed satisfied upon occurrence of one of the  
4 following:

5 (1) When \$15,000 has been credited upon any judgment or  
6 judgments rendered in excess of that amount because of bodily  
7 injury to or death of one person as the result of any one  
8 accident.

9 (2) When \$20,000 has been credited upon any judgment or  
10 judgments rendered in excess of that amount because of bodily  
11 injury to or death of two or more persons as the result of  
12 any one accident.

13 (3) When \$5,000 has been credited upon any judgment or  
14 judgments rendered in excess of that amount because of injury  
15 to or destruction of property of others as the result of any  
16 one accident.

17 (b) Credit for payment under settlement.--Payments made in  
18 settlement of any claims because of bodily injury, death or  
19 property damage arising from a motor vehicle accident shall be  
20 credited in reduction of the amounts provided for in this  
21 section.

22 (c) Escrow deposit by judgment creditor.--When the judgment  
23 creditor cannot be found, the judgment debtor may deposit in  
24 escrow with the prothonotary of the court where the judgment was  
25 entered an amount equal to the amount of the judgment, subject  
26 to the limits set forth in subsection (a), interest to date and  
27 record costs, whereupon the prothonotary shall notify the  
28 department and the judgment shall be deemed satisfied. The  
29 amount deposited shall be retained by the prothonotary for a  
30 period of five years from the date of the deposit, after which,

1 if it has not been claimed by the judgment creditor, it shall be  
2 returned to the judgment debtor. When the deposit is made, the  
3 prothonotary shall notify the judgment creditor and his counsel,  
4 if any, by certified or registered mail at his last known  
5 address. No interest shall run on any judgment with respect to  
6 the amount deposited with the prothonotary under the terms of  
7 this subsection.

8 § 1745. Installment payment of judgments.

9 (a) Order authorizing installment payment.--A judgment  
10 debtor, upon due notice to the judgment creditor, may apply to  
11 the court in which the judgment was rendered for the privilege  
12 of paying the judgment in installments and the court, in its  
13 discretion and without prejudice to any other legal remedies  
14 which the judgment creditor may have, may so order and fix the  
15 amounts and times of payment of the installments.

16 (b) Suspension prohibited during compliance with order.--The  
17 department shall not suspend a driver's operating privilege or  
18 registrations and shall restore any operating privilege or  
19 registration suspended following nonpayment of a judgment when  
20 the judgment debtor obtains an order permitting payment of the  
21 judgment in installments and while the payment of any  
22 installment is not in default, provided that the judgment debtor  
23 furnishes proof of financial responsibility.

24 (c) Suspension for default in payment.--In the event the  
25 judgment debtor fails to pay any installment as specified by the  
26 order, then, upon notice of the default, the department shall  
27 suspend the operating privilege and all registrations of the  
28 judgment debtor until the judgment is satisfied as provided in  
29 this chapter.

30 § 1746. Proof of financial responsibility after suspension or

1 revocation.

2 Whenever the department suspends or revokes the operating  
3 privilege of any person upon receiving record of a conviction or  
4 forfeiture of bail, the department shall not restore the  
5 operating privilege until the person furnishes proof of  
6 financial responsibility.

7 § 1747. Providing financial responsibility.

8 (a) General rule.--Proof of financial responsibility may be  
9 furnished by filing evidence satisfactory to the department that  
10 all motor vehicles registered in a person's name are covered by  
11 the insurance required in section 104 of the act of July 18,  
12 1974 (P.L.489, No.176), known as the "Pennsylvania No-fault  
13 Motor Vehicle Insurance Act"; or, if the person has no motor  
14 vehicle, that the person is covered by a non-owner's policy  
15 having the same limits of liability as are required in section  
16 104 of that act.

17 (b) Nonresident.--The nonresident owner of a motor vehicle  
18 not registered in this Commonwealth may give proof of financial  
19 responsibility by filing with the department a written  
20 certificate or certificates of an insurance carrier authorized  
21 to transact business in the state in which the motor vehicle or  
22 motor vehicles described in the certificate is registered or, if  
23 the nonresident does not own a motor vehicle, then in the state  
24 in which the insured resides, provided the certificate otherwise  
25 conforms to the provisions of this chapter, and the department  
26 shall accept the certificate upon condition that the insurance  
27 carrier complies with the following provisions with respect to  
28 the policies so certified:

29 (1) The insurance carrier shall execute a power of  
30 attorney authorizing the department to accept service on its



behalf or process in any action arising out of a motor vehicle accident in this Commonwealth.

(2) The insurance carrier shall agree in writing that the policies shall be deemed to conform with the laws of this Commonwealth relating to the terms of motor vehicle liability policies issued in this Commonwealth.

(c) Default by foreign insurance carrier.--If any insurance carrier not authorized to transact business in this Commonwealth, which has qualified to furnish proof of financial responsibility, defaults in any undertakings or agreements, the department shall not thereafter accept as proof any certificate of the carrier whether theretofore filed or thereafter tendered as proof as long as the default continues.

## CHAPTER 19

## FEEs

~~(Reserved)~~

## SUBCHAPTER

## A. GENERAL PROVISIONS

## B. REGISTRATION FEES

### C. PERMITS

#### D. MISCELLANEOUS FEES

## SUBCHAPTER A

## GENERAL PROVISIONS

## SEC.

1901. EXEMPTION OF ENTITIES AND VEHICLES FROM FEES.

1902. EXEMPTIONS FROM OTHER FEES.

1903. LIMITATION ON LOCAL LICENSE FEES AND TAXES.

1904. COLLECTION AND DISPOSITION OF FEES AND MONEYS.

§ 1901. EXEMPTION OF ENTITIES AND VEHICLES FROM FEES.

(A) GOVERNMENTAL AND QUASI-GOVERNMENTAL ENTITIES.--NO FEES

1 SHALL BE CHARGED UNDER THIS TITLE TO ANY OF THE FOLLOWING  
2 FOR TITLE OR REGISTRATION OF, OR FOR CERTIFICATES OF INSPECTION  
3 ISSUED TO ANY OFFICIAL INSPECTION STATION OF AND WHEN USED ON,  
4 VEHICLES OWNED BY AND USED EXCLUSIVELY IN THE PERFORMANCE OF  
5 OFFICIAL DUTIES:

- 6 (1) THE COMMONWEALTH.
- 7 (2) POLITICAL SUBDIVISIONS.
- 8 (3) STATE AND LOCAL AUTHORITIES.
- 9 (4) THE FEDERAL GOVERNMENT.
- 10 (5) OTHER STATES.
- 11 (6) VOLUNTEER FIRE, RESCUE AND AMBULANCE ASSOCIATIONS.
- 12 (7) FOREIGN NATIONALS WITH THE RANK OF VICE CONSUL OR  
13 HIGHER ASSIGNED TO A CONSULATE IN THIS COMMONWEALTH PROVIDED  
14 THAT CITIZENS OF THE UNITED STATES ARE GRANTED RECIPROCAL  
15 EXEMPTIONS.

16 (B) HANDLING FEE IN LIEU OF REGISTRATION FEE.--NO  
17 REGISTRATION FEE SHALL BE CHARGED FOR VEHICLES OWNED BY ANY OF  
18 THE FOLLOWING BUT THE DEPARTMENT SHALL CHARGE A FEE OF \$10 TO  
19 COVER THE COSTS OF PROCESSING FOR ISSUING OR RENEWING THE  
20 REGISTRATION:

- 21 (1) HOSPITAL.
- 22 (2) HUMANE SOCIETY.
- 23 (3) NONPROFIT YOUTH CENTER.
- 24 (4) AMERICAN RED CROSS.
- 25 (5) CHURCH.
- 26 (6) GIRL SCOUTS OF AMERICA.
- 27 (7) BOY SCOUTS OF AMERICA.
- 28 (8) SALVATION ARMY.
- 29 (9) DULY CHARTERED POSTS OF NATIONAL VETERANS'  
30 ORGANIZATIONS.

1           (10) YOUNG MEN'S CHRISTIAN ASSOCIATION.

2           (11) YOUNG MEN'S HEBREW ASSOCIATION.

3           (12) YOUNG WOMEN'S CHRISTIAN ASSOCIATION.

4           (13) YOUNG WOMEN'S HEBREW ASSOCIATION.

5           (14) JEWISH COMMUNITY CENTER.

6           (15) NONPROFIT CORPORATIONS OF MUSICAL MARCHING GROUPS  
7 OF YOUTHS.

8           (16) ANY VETERAN WHO LOST A LIMB OR EYE OR WHO BECAME  
9 PARTIALLY PARALYZED WHILE SERVING IN THE ARMED FORCES OF THE  
10 UNITED STATES DURING ANY PERIOD OF WAR OR ARMED CONFLICT.  
11 ONLY ONE PASSENGER VEHICLE, OR ONE OTHER VEHICLE WITH A GROSS  
12 WEIGHT OR REGISTERED GROSS WEIGHT OF NOT MORE THAN 9,000  
13 POUNDS, SHALL BE REGISTERED FOR ANY VETERAN.

14           (17) ANY PERSON WHO IS RETIRED AND RECEIVING SOCIAL  
15 SECURITY OR OTHER PENSION AND WHOSE TOTAL INCOME DOES NOT  
16 EXCEED \$7,500 PER YEAR. UNLESS THE RETIRED PERSON IS  
17 PHYSICALLY OR MENTALLY INCAPABLE OF DRIVING THE VEHICLE, THE  
18 RETIRED PERSON SHALL BE THE PRINCIPAL DRIVER OF THE VEHICLE  
19 BUT MAY FROM TIME TO TIME AUTHORIZE ANOTHER PERSON TO DRIVE  
20 THE VEHICLE IN HIS OR HER STEAD. ONLY ONE PASSENGER VEHICLE  
21 OR ONE OTHER VEHICLE WITH A GROSS WEIGHT OR REGISTERED GROSS  
22 WEIGHT OF NOT MORE THAN 9,000 POUNDS, MAY BE REGISTERED TO  
23 ANY PERSON UNDER THIS PARAGRAPH.

24           (C) LIMITATION ON USE.--VEHICLES TITLED AND REGISTERED UNDER  
25 THE PROVISIONS OF THIS SECTION SHALL BE OPERATED AND USED  
26 EXCLUSIVELY FOR THE PURPOSE FOR WHICH THE VEHICLES WERE ENTITLED  
27 TO THE EXEMPTIONS FROM FEES.

28           (D) PENALTY.--ANY PERSON VIOLATING THE PROVISIONS OF THIS  
29 SECTION IS GUILTY OF A SUMMARY OFFENSE.

30 § 1902. EXEMPTIONS FROM OTHER FEES.

1 NO FEE SHALL BE CHARGED UNDER THIS TITLE FOR OR TO ANY OF THE  
2 FOLLOWING:

3 (1) A CERTIFICATE OF TITLE RETURNED TO THE DEPARTMENT  
4 FOR CANCELLATION.

5 (2) THE REPLACEMENT OF A REGISTRATION, REGISTRATION  
6 PLATE, DRIVER'S LICENSE, LEARNER'S PERMIT OR CERTIFICATE OF  
7 TITLE LOST IN THE MAIL IF THE APPLICANT FILES AN AFFIDAVIT OF  
8 NON-RECEIPT WITHIN 45 DAYS OF THE DATE OF ORIGINAL ISSUANCE.

9 (3) A CERTIFICATE OF JUNK.

10 (4) A CERTIFICATE OF REJECTION.

11 (5) A SPECIAL HAULING PERMIT ISSUED TO ANY PERSON  
12 HAULING EQUIPMENT OR MATERIALS FOR USE ON A FEDERAL OR STATE  
13 EMERGENCY RELIEF PROJECT.

14 (6) A MANUFACTURER, JOBBER OR DEALER FOR A CERTIFICATE  
15 OF TITLE TO A MOTOR VEHICLE, TRAILER OR SEMI-TRAILER WHEN  
16 ASSIGNMENT OF CERTIFICATE OF TITLE ACCOMPANIES THE  
17 APPLICATION FOR CERTIFICATE OF TITLE, AND WHEN THE DEALER,  
18 MANUFACTURER OR JOBBER IS POSSESSED OF CURRENT MANUFACTURER'S  
19 DEALER'S OR JOBBER'S REGISTRATION PLATES.

20 § 1903. LIMITATION ON LOCAL LICENSE FEES AND TAXES.

21 NO MUNICIPALITY SHALL REQUIRE OR COLLECT ANY REGISTRATION OR  
22 LICENSE FEE OR TAX FOR ANY VEHICLE OR DRIVER'S LICENSE FROM ANY  
23 PERSON.

24 § 1904. COLLECTION AND DISPOSITION OF FEES AND MONEYS.

25 THE DEPARTMENT SHALL COLLECT ALL FEES PAYABLE UNDER THIS  
26 TITLE AND ALL OTHER MONEYS RECEIVED IN CONNECTION WITH THE  
27 ADMINISTRATION OF THIS TITLE AND TRANSMIT THEM TO THE STATE  
28 TREASURER FOR DEPOSIT IN THE MOTOR LICENSE FUND.

29 SUBCHAPTER B

30 REGISTRATION FEES

1 SEC.

2 1911. ANNUAL REGISTRATION FEES.

3 1912. PASSENGER CARS.

4 1913. MOTOR HOMES.

5 1914. MOTORCYCLES.

6 1915. TRUCKS AND TRUCK-TRACTORS.

7 1916. MOTOR BUSES.

8 1917. SCHOOL BUSES.

9 1918. ELECTRIC VEHICLES.

10 1919. TRAILERS AND SEMI-TRAILERS.

11 1920. SELF-PROPELLED IMPLEMENTS OF HUSBANDRY.

12 1921. SPECIAL MOBILE EQUIPMENT.

13 1922. ANTIQUE VEHICLES.

14 1923. CLASSIC VEHICLES.

15 1924. FARM TRUCKS.

16 1925. AMBULANCES, TAXIS AND HEARSEs.

17 1926. DEALERS AND MISCELLANEOUS MOTOR VEHICLE BUSINESS.

18 1927. TRANSFER OF REGISTRATION.

19 1928. PROCESSING TEMPORARY REGISTRATION.

20 1929. REPLACEMENT REGISTRATION PLATES.

21 1930. SPECIAL REGISTRATION PLATE SERIES.

22 1931. DUPLICATE REGISTRATION CARDS.

23 § 1911. ANNUAL REGISTRATION FEES.

24 (A) GENERAL RULE.--AN ANNUAL FEE FOR THE REGISTRATION OF

25 VEHICLES AS PROVIDED IN CHAPTER 13 (RELATING TO THE REGISTRATION

26 OF VEHICLES) SHALL BE CHARGED BY THE DEPARTMENT AS PROVIDED IN

27 THIS TITLE.

28 (B) DEPARTMENT TO ESTABLISH CERTAIN FEES.--IF A VEHICLE TO

29 BE REGISTERED IS OF A TYPE NOT SPECIFICALLY PROVIDED FOR BY THIS

30 TITLE AND IS OTHERWISE ELIGIBLE FOR REGISTRATION, THE DEPARTMENT

1 SHALL DETERMINE THE MOST APPROPRIATE FEE OR FEE SCHEDULE FOR THE  
2 VEHICLE OR TYPE OF VEHICLE BASED ON SUCH FACTORS AS DESIGN AND  
3 INTENDED USE.

4 § 1912. PASSENGER CARS.

5 THE ANNUAL FEE FOR REGISTRATION OF A PASSENGER CAR SHALL BE  
6 \$24.

7 § 1913. MOTOR HOMES.

8 THE ANNUAL FEE FOR REGISTRATION OF A MOTOR HOME WITH A  
9 REGISTERED GROSS WEIGHT OF 7,000 POUNDS OR LESS SHALL BE \$24 AND  
10 OF A MOTOR HOME WITH A REGISTERED GROSS WEIGHT IN EXCESS OF  
11 7,000 POUNDS SHALL BE \$48.

12 § 1914. MOTORCYCLES.

13 THE ANNUAL FEE FOR REGISTRATION OF A MOTORCYCLE SHALL BE \$12.

14 § 1915. TRUCKS AND TRUCK-TRACTORS.

15 THE ANNUAL FEE FOR REGISTRATION OF A TRUCK OR TRUCK-TRACTOR  
16 SHALL BE DETERMINED BY ITS REGISTERED VEHICLE WEIGHT IN POUNDS  
17 ACCORDING TO THE FOLLOWING TABLE:

18	CLASS	REGISTERED VEHICLE	FEE
19		WEIGHT IN POUNDS	
20	1	5,000 OR LESS	\$ 39
21	2	5,001 - 7,000	50
22	3	7,001 - 9,000	84
23	4	9,001 - 11,000	108
24	5	11,001 - 14,000	132
25	6	14,001 - 17,000	156
26	7	17,001 - 21,000	192
27	8	21,001 - 26,000	216
28	9	26,001 - 30,000	252
29	10	30,001 - 33,000	300
30	11	33,001 - 36,000	324

1	12	36,001 - 40,000	342
2	13	40,001 - 44,000	360
3	14	44,001 - 48,000	384
4	15	48,001 - 52,000	420
5	16	52,001 - 56,000	444
6	17	56,001 - 60,000	500
7	18	60,001 - 64,000	552
8	19	64,001 - 68,000	576
9	20	68,001 - 73,280	606

10 § 1916. MOTOR BUSES.

11 THE ANNUAL FEE FOR REGISTRATION OF A MOTOR BUS SHALL BE  
12 DETERMINED BY ITS SEATING CAPACITY ACCORDING TO THE FOLLOWING  
13 TABLE:

14	SEATING CAPACITY	FEE
15	26 OR LESS	\$ 6 PER SEAT
16	27 - 51	\$156 PLUS \$7 PER
17		SEAT IN EXCESS OF 26
18	52 OR MORE	\$360

19 § 1917. SCHOOL BUSES.

20 THE ANNUAL FEE FOR REGISTRATION OF A SCHOOL BUS SHALL BE \$24.

21 § 1918. ELECTRIC VEHICLES.

22 THE ANNUAL FEE FOR REGISTRATION OF A VEHICLE WHICH IS  
23 PROPELLED BY ELECTRIC POWER SHALL BE \$12.

24 § 1919. TRAILERS AND SEMI-TRAILERS.

25 THE ANNUAL FEE FOR REGISTRATION OF A TRAILER OR SEMI-TRAILER  
26 SHALL BE \$6 EXCEPT THAT THE FEE FOR A TRAILER OR SEMI-TRAILER  
27 WITH A GROSS WEIGHT OR REGISTERED GROSS WEIGHT OF 3,001 POUNDS  
28 OR MORE SHALL BE \$25.

29 § 1920. SELF-PROPELLED IMPLEMENTS OF HUSBANDRY.

30 THE ANNUAL FEE FOR REGISTRATION OF ANY SELF-PROPELLED

1 IMPLEMENT OF HUSBANDRY SHALL BE \$6.

2 § 1921. SPECIAL MOBILE EQUIPMENT.

3 THE ANNUAL FEE FOR REGISTRATION OF SPECIAL MOBILE EQUIPMENT  
4 SHALL BE \$24.

5 § 1922. ANTIQUE VEHICLES.

6 THE FEE FOR REGISTRATION OF AN ANTIQUE MOTOR VEHICLE SHALL BE  
7 \$50.

8 § 1923. CLASSIC VEHICLES.

9 THE FEE FOR REGISTRATION OF A CLASSIC MOTOR VEHICLE SHALL BE  
10 \$50.

11 § 1924. FARM TRUCKS.

12 THE ANNUAL FEE FOR REGISTRATION OF A FARM TRUCK SHALL BE \$25.

13 § 1925. AMBULANCES, TAXIS AND HEARSE.

14 THE ANNUAL FEE FOR REGISTRATION OF AN AMBULANCE, TAXI OR  
15 HEARSE SHALL BE \$36.

16 § 1926. DEALERS AND MISCELLANEOUS MOTOR VEHICLE BUSINESS.

17 (A) GENERAL RULE.--THE ANNUAL FEE FOR A DEALER REGISTRATION  
18 PLATE OR MISCELLANEOUS MOTOR VEHICLE BUSINESS PLATE SHALL BE  
19 \$24.

20 (B) MOTORCYCLE DEALERS.--THE ANNUAL FEE FOR EACH MOTORCYCLE  
21 DEALER REGISTRATION PLATE SHALL BE \$10.

22 (C) IMPLEMENTS OF HUSBANDRY DEALERS.--THE ANNUAL FEE FOR  
23 EACH DEALER PLATE ISSUED TO A DEALER IN IMPLEMENTS OF HUSBANDRY  
24 SHALL BE \$12.

25 § 1927. TRANSFER OF REGISTRATION.

26 THE FEE FOR TRANSFER OF REGISTRATION SHALL BE \$4.

27 § 1928. PROCESSING TEMPORARY REGISTRATION.

28 THE FEE PAYABLE BY A DEALER OR OTHER DISPENSING AGENT FOR A  
29 TEMPORARY REGISTRATION PLATE SHALL BE \$1. THE CHARGE OF THE  
30 AGENT FOR PROVIDING AN APPLICANT WITH A TEMPORARY REGISTRATION



1 SHALL NOT EXCEED \$5.

2 § 1929. REPLACEMENT REGISTRATION PLATES.

3 THE FEE FOR A REPLACEMENT REGISTRATION PLATE SHALL BE \$5.

4 § 1930. SPECIAL REGISTRATION PLATE SERIES.

5 THE ANNUAL FEE FOR ANY SPECIAL SERIES OF REGISTRATION PLATES  
6 FOR WHICH NO FEE IS PRESCRIBED IN THIS TITLE SHALL BE \$20.

7 § 1931. DUPLICATE REGISTRATION CARDS.

8 THE FEE FOR EACH DUPLICATE REGISTRATION CARD WHEN ORDERED AT  
9 THE TIME OF VEHICLE REGISTRATION OR TRANSFER OR RENEWAL OF  
10 REGISTRATION SHALL BE \$1. THE FEE FOR EACH DUPLICATE  
11 REGISTRATION CARD ISSUED AT ANY OTHER TIME SHALL BE \$3.

12 SUBCHAPTER C

13 PERMITS

14 SEC.

15 1941. SCOPE OF SUBCHAPTER.

16 1942. SPECIAL HAULING PERMITS AS TO WEIGHT AND SIZE.

17 1943. ANNUAL HAULING PERMITS.

18 1944. MOBILE HOMES AND SIMILAR TRAILERS.

19 1945. MOVEMENTS REQUIRING SPECIAL ESCORT.

20 § 1941. SCOPE OF SUBCHAPTER.

21 THIS SUBCHAPTER PRESCRIBES FEES PAYABLE TO THE DEPARTMENT FOR  
22 PERMITS COVERING MOVEMENTS ON STATE HIGHWAYS AND DOES NOT LIMIT  
23 THE RIGHT OF LOCAL AUTHORITIES TO PRESCRIBE FEES FOR PERMITS FOR  
24 MOVEMENTS ON STREETS AND HIGHWAYS UNDER THEIR JURISDICTION.

25 § 1942. SPECIAL HAULING PERMITS AS TO WEIGHT AND SIZE.

26 (A) OVERWEIGHT LOAD.--THE FEE FOR A SPECIAL HAULING PERMIT  
27 FOR EACH MOVEMENT OF AN OVERWEIGHT LOAD SHALL BE \$15 PLUS 3¢ FOR  
28 EACH TON-MILE COMPUTED BY MULTIPLYING THE NUMBER OF TONS BY  
29 WHICH THE ACTUAL GROSS WEIGHT EXCEEDS THE REGISTERED GROSS  
30 WEIGHT TIMES THE LENGTH OF THE HAUL IN MILES.

1 (B) OVERSIZE LOAD.--THE FEE FOR A SPECIAL HAULING PERMIT FOR  
2 EACH MOVEMENT OF AN OVERSIZE LOAD SHALL BE \$15.

3 (C) COMBINATION OF OVERSIZE AND OVERWEIGHT.--WHEN A VEHICLE  
4 IS BOTH OVERSIZE AND OVERWEIGHT, ONLY THE HIGHER FEE SHALL BE  
5 PAID.

6 § 1943. ANNUAL HAULING PERMITS.

7 (A) QUARRY EQUIPMENT AND MACHINERY.--THE ANNUAL FEE FOR  
8 OPERATION OR MOVEMENT OF EACH PIECE OF HEAVY QUARRY EQUIPMENT OR  
9 MACHINERY, AS PROVIDED FOR IN SECTION 4966 (RELATING TO PERMIT  
10 FOR MOVEMENT OF QUARRY EQUIPMENT), SHALL BE \$25.

11 (B) IMPLEMENTS OF HUSBANDRY.--THE ANNUAL FEE FOR OPERATION  
12 OR MOVEMENT OF EACH OVERSIZE SELF-PROPELLED IMPLEMENT OF  
13 HUSBANDRY, AS PROVIDED FOR IN SECTION 4967 (RELATING TO PERMIT  
14 FOR MOVEMENT OF IMPLEMENTS OF HUSBANDRY), SHALL BE \$20.

15 (C) EQUIPMENT BEING MANUFACTURED.--THE ANNUAL FEE FOR  
16 OPERATION OR MOVEMENT OF EQUIPMENT BEING MANUFACTURED, AS  
17 PROVIDED FOR IN SECTION 4968 (RELATING TO PERMIT FOR MOVEMENT OF  
18 EQUIPMENT BEING MANUFACTURED), SHALL BE \$50.

19 § 1944. MOBILE HOMES AND SIMILAR TRAILERS.

20 (A) FEE.--THE FEE FOR A SPECIAL HAULING PERMIT FOR A MOBILE  
21 HOME OR SIMILAR TRAILER WHICH EXCEEDS THE MAXIMUM SIZE  
22 PRESCRIBED IN THIS TITLE SHALL BE \$20.

23 (B) BOOKS OF PERMITS.--UPON REQUEST, PERMITS FOR MOVEMENT OF  
24 MOBILE HOMES WILL BE ISSUED IN BOOKLET FORM, CONTAINING A  
25 CONVENIENT NUMBER OF PERMITS. FOR EACH MOVEMENT, ONE PERMIT  
26 SHALL BE REMOVED FROM THE BOOKLET, DATED, TRIP DATA ENTERED AND  
27 SECURELY AFFIXED TO THE MOBILE HOME.

28 § 1945. MOVEMENTS REQUIRING SPECIAL ESCORT.

29 WHEN A SPECIAL ESCORT IS REQUIRED, AS PROVIDED FOR IN SECTION  
30 4962 (RELATING TO CONDITIONS OF PERMITS AND SECURITY FOR

1 DAMAGES), THE COST OF THE ESCORT SHALL BE ADDED TO THE PERMIT  
2 FEE.

3 SUBCHAPTER D  
4 MISCELLANEOUS FEES

5 SEC.

6 1951. DRIVER'S LICENSE AND LEARNER'S PERMIT.

7 1952. CERTIFICATE OF TITLE.

8 1953. SECURITY INTEREST.

9 1954. APPROVAL OF VEHICLE EQUIPMENT AND TESTING DEVICES.

10 1955. INFORMATION CONCERNING DRIVERS AND VEHICLES.

11 1956. CERTIFIED COPIES OF RECORDS.

12 1957. UNCOLLECTIBLE CHECKS.

13 1958. CERTIFICATES OF APPOINTMENT AND INSPECTION.

14 1959. FEE FOR ERROR OR OMISSION IN APPLICATION.

15 1960. MESSENGER SERVICE.

16 § 1951. DRIVER'S LICENSE AND LEARNER'S PERMIT.

17 (A) DRIVER'S LICENSE.--THE ANNUAL FEE FOR A DRIVER'S LICENSE  
18 SHALL BE \$5.

19 (B) LEARNER'S PERMIT.--THE FEE FOR A LEARNER'S PERMIT SHALL  
20 BE \$5.

21 (C) REPLACEMENT DRIVER'S LICENSE.--THE FEE FOR A REPLACEMENT  
22 DRIVER'S LICENSE SHALL BE \$3.

23 § 1952. CERTIFICATE OF TITLE.

24 (A) GENERAL RULE.--THE FEE FOR A CERTIFICATE OF TITLE SHALL  
25 BE \$5.

26 (B) DUPLICATE CERTIFICATE.--THE FEE FOR A DUPLICATE  
27 CERTIFICATE OF TITLE SHALL BE \$5.

28 (C) DEALER'S NOTIFICATION.--THE FEE FOR A DEALER'S  
29 NOTIFICATION OF THE ACQUISITION OF A VEHICLE FOR RESALE PURSUANT  
30 TO SECTION 1113 (RELATING TO TRANSFER TO OR FROM REGISTERED

1 DEALER) SHALL BE \$2.

2 § 1953. SECURITY INTEREST.

3 THE FEE FOR RECORDING OR CHANGING THE AMOUNT OF SECURITY  
4 INTEREST ON A CERTIFICATE OF TITLE SHALL BE \$5.

5 § 1954. APPROVAL OF VEHICLE EQUIPMENT AND TESTING DEVICES.

6 THE DEPARTMENT IS AUTHORIZED TO CHARGE REASONABLE FEES FOR  
7 THE APPROVAL OF VEHICLE EQUIPMENT AND TESTING DEVICES UNDER THE  
8 PROVISIONS OF SECTION 4104 (RELATING TO TESTING AND APPROVAL OF  
9 EQUIPMENT) EXCEPT THAT:

10 (1) FEES FOR OTHER TESTING SHALL BE BASED ON THE COST OF  
11 OPERATING THE DEPARTMENT EQUIPMENT APPROVAL PROGRAM AND SHALL  
12 NOT EXCEED SIMILAR FEES CHARGED BY THE AMERICAN ASSOCIATION  
13 OF MOTOR VEHICLE ADMINISTRATORS; AND

14 (2) NO FEE SHALL BE CHARGED FOR APPROVAL BASED ON  
15 CERTIFICATIONS OF THE AMERICAN ASSOCIATION OF MOTOR VEHICLE  
16 ADMINISTRATORS.

17 § 1955. INFORMATION CONCERNING DRIVERS AND VEHICLES.

18 THE DEPARTMENT MAY SUPPLY INFORMATION AS PROVIDED IN SECTION  
19 1316 (RELATING TO SALE OF COPIES OF REGISTRATION AND STATISTICS)  
20 CONCERNING LEARNERS' PERMITS, DRIVERS' LICENSES, REGISTRATION,  
21 TITLING AND SECURITY INTERESTS OF VEHICLES AND MAY REQUIRE THE  
22 PAYMENT OF A FEE OF \$1.50 FOR EACH RECORD SEARCHED OR DOCUMENT  
23 COPIED.

24 § 1956. CERTIFIED COPIES OF RECORDS.

25 (A) DEPARTMENT RECORDS.--THE FEE FOR A CERTIFIED COPY OF ANY  
26 DEPARTMENT RECORD WHICH THE DEPARTMENT IS AUTHORIZED BY LAW TO  
27 FURNISH TO THE PUBLIC SHALL BE \$5 FOR EACH FORM OR SUPPORTING  
28 DOCUMENT COMPRISING SUCH RECORD.

29 (B) STATE POLICE REPORTS.--THE FEE FOR A CERTIFIED  
30 PENNSYLVANIA STATE POLICE RECORD OF INVESTIGATION OF A VEHICLE

1 ACCIDENT WHICH THE PENNSYLVANIA STATE POLICE ARE AUTHORIZED BY  
2 THIS TITLE TO FURNISH TO THE PUBLIC SHALL BE \$5 FOR EACH COPY OF  
3 THE PENNSYLVANIA STATE POLICE FULL REPORT OF INVESTIGATION.

4 § 1957. UNCOLLECTIBLE CHECKS.

5 WHENEVER ANY CHECK ISSUED IN PAYMENT OF ANY FEE OR FOR ANY  
6 OTHER PURPOSE IS RETURNED TO THE DEPARTMENT AS UNCOLLECTIBLE,  
7 THE DEPARTMENT OR MUNICIPALITY SHALL CHARGE A FEE OF \$10 FOR  
8 EACH DRIVER'S LICENSE, REGISTRATION, REPLACEMENT OF TAGS,  
9 TRANSFER OF REGISTRATION, CERTIFICATE OF TITLE, WHETHER ORIGINAL  
10 OR DUPLICATE, SPECIAL HAULING PERMIT AND EACH OTHER UNIT OF  
11 ISSUE BY THE DEPARTMENT OR MUNICIPALITY, PLUS ALL PROTEST FEES,  
12 TO THE PERSON PRESENTING THE CHECK, TO COVER THE COST OF  
13 COLLECTION.

14 § 1958. CERTIFICATES OF APPOINTMENT AND INSPECTION.

15 (A) CERTIFICATE OF APPOINTMENT.--EACH OFFICIAL INSPECTION  
16 STATION SHALL PAY AN ANNUAL FEE OF \$25 WHICH SHALL ACCOMPANY  
17 EACH APPLICATION FOR A CERTIFICATE OF APPOINTMENT AS PROVIDED  
18 FOR IN SECTION 4722 (RELATING TO CERTIFICATE OF APPOINTMENT).

19 (B) CERTIFICATE OF INSPECTION.--THE DEPARTMENT SHALL CHARGE  
20 25¢ FOR EACH CERTIFICATE OF INSPECTION.

21 § 1959. FEE FOR ERROR OR OMISSION IN APPLICATION.

22 WHEN ANY APPLICATION MAILED TO THE DEPARTMENT MUST BE  
23 RETURNED BECAUSE ESSENTIAL INFORMATION OR THE APPLICABLE FEE IS  
24 NOT INCLUDED AN ADDITIONAL FEE OF \$2 SHALL BE CHARGED WHEN THE  
25 APPLICATION IS RESUBMITTED.

26 § 1960. MESSENGER SERVICE.

27 (A) ANNUAL REGISTRATION.--THE ANNUAL FEE FOR REGISTRATION OF  
28 A MESSENGER SERVICE AS PROVIDED FOR IN CHAPTER 75 (RELATING TO  
29 MESSENGER SERVICE) SHALL BE \$50.

30 (B) ADDITIONAL PLACES OF BUSINESS.--THE ANNUAL FEE FOR

1 REGISTRATION OF ADDITIONAL PLACE OF BUSINESS OR BRANCH OFFICE  
2 FROM WHICH A MESSENGER SERVICE MAY TRANSACT BUSINESS SHALL BE  
3 \$25.

4 (C) TRANSFER OF LOCATION.--THE FEE FOR THE TRANSFER OF  
5 LOCATION OF A REGISTERED PLACE OF BUSINESS OR BRANCH OFFICE OF A  
6 MESSENGER SERVICE DURING A PERIOD OF REGISTRATION SHALL BE  
7 \$2.50.

8 PART III  
9 OPERATION OF VEHICLES

10 Chapter

- 11 31. General Provisions  
12 33. Rules of the Road in General  
13 35. Special Vehicles and Pedestrians  
14 37. Miscellaneous Provisions.

15 CHAPTER 31  
16 GENERAL PROVISIONS

17 Subchapter

- 18 A. Obedience To and Effect of Traffic Laws  
19 B. Traffic-control Devices

20 SUBCHAPTER A  
21 OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS

22 Sec.

- 23 3101. Application of part.  
24 3102. Obedience to authorized persons directing traffic.  
25 3103. Persons riding animals or driving animal-drawn vehicles.  
26 3104. Persons working on highways.  
27 3105. Drivers of emergency vehicles.  
28 3106. Operators of streetcars.

29 § 3101. Application of part.

30 (a) General rule.--Except as provided in subsection (b), the

1 provisions of this part relating to the operation of vehicles  
2 refer exclusively to the operation of vehicles upon highways  
3 except where a different place is specifically referred to in a  
4 particular provision.

5 (b) Serious traffic offenses.--The provisions of Subchapter  
6 B of Chapter 37 (relating to serious traffic offenses) shall  
7 apply upon highways and elsewhere throughout this Commonwealth.

8 § 3102. Obedience to authorized persons directing traffic.

9 No person shall wilfully fail or refuse to comply with any  
10 lawful order or direction of any uniformed police officer or any  
11 appropriately attired person authorized to direct, control or  
12 regulate traffic.

13 § 3103. Persons riding animals or driving animal-drawn  
14 vehicles.

15 (a) General rule.--Every person riding an animal or driving  
16 any animal-drawn vehicle upon a roadway shall be granted all of  
17 the rights and shall be subject to all of the duties applicable  
18 to the driver of a vehicle by this part, except those provisions  
19 of this part which by their very nature can have no application  
20 or where specifically provided otherwise.

21 (b) Limited-access highways.--No person shall ride an animal  
22 or drive any animal-drawn vehicle upon a limited-access highway.

23 § 3104. Persons working on highways.

24 Unless specifically made applicable, the provisions of this  
25 part, except those contained in Subchapter B of Chapter 37  
26 (relating to serious traffic offenses), shall not apply to  
27 persons, motor vehicles, and equipment while actually engaged in  
28 work upon a highway but shall apply to such persons and vehicles  
29 when traveling to or from such work.

30 § 3105. Drivers of emergency vehicles.

1 (a) General rule.--The driver of an emergency vehicle, when  
2 responding to an emergency call or when in the pursuit of an  
3 actual or suspected violator of the law or when responding to  
4 but not upon returning from a fire alarm, may exercise the  
5 privileges set forth in this section, but subject to the  
6 conditions stated in this section.

7 (b) Exercise of special privileges.--The driver of an  
8 emergency vehicle may:

9 (1) Park or stand, irrespective of the provisions of  
10 this part.

11 (2) Proceed past a red signal indication or stop sign,  
12 but only after slowing down as may be necessary for safe  
13 operation, except as provided in subsection (d).

14 (3) Exceed the maximum speed limits so long as the  
15 driver does not endanger life or property , EXCEPT AS <—  
16 PROVIDED IN SUBSECTION (D).

17 (4) Disregard regulations governing direction of  
18 movement or turning in specified directions.

19 (c) Audible and visual signals required.--The privileges  
20 granted in this section to an emergency vehicle shall apply only  
21 when the vehicle is making use of an audible signal and visual  
22 signals meeting the requirements and standards set forth in  
23 regulations adopted by the department, except that an emergency  
24 vehicle operated as a police vehicle need not be equipped with  
25 or display the visual signals.

26 (d) ~~Ambulances to stop at stop intersections~~ LIMITATIONS ON <—  
27 AMBULANCE OPERATION.--The driver of an ambulance ~~when responding~~ <—  
28 ~~to an emergency call~~ shall comply with a MAXIMUM SPEED LIMITS, <—  
29 red signal ~~indication or stop sign~~ INDICATIONS OR STOP SIGNS. <—

30 After ascertaining that the ambulance will be given the right-



<—

1 of-way, the ambulance driver may proceed through the A red  
2 signal indication or stop sign.

3 (e) Exercise of care.--This section does not relieve the  
4 driver of an emergency vehicle from the duty to drive with due  
5 regard for the safety of all persons.

6 § 3106. Operators of streetcars.

7 Every operator of a streetcar upon any roadway shall be  
8 granted all of the rights and shall be subject to all of the  
9 duties applicable to the driver of a vehicle by this title  
10 except those provisions which by their nature can have no  
11 application.

## 12 SUBCHAPTER B

### 13 TRAFFIC-CONTROL DEVICES

14 Sec.

15 3111. Obedience to traffic-control devices.

16 3112. Traffic-control signals.

17 3113. Pedestrian-control signals.

18 3114. Flashing signals.

19 3115. Lane-direction-control signals.

20 § 3111. Obedience to traffic-control devices.

21 (a) General rule.--Unless otherwise directed by a uniformed  
22 police officer or any appropriately attired person authorized to  
23 direct, control or regulate traffic, the driver of any vehicle  
24 shall obey the instructions of any applicable official traffic-  
25 control device placed OR HELD in accordance with the provisions <—  
26 of this title, subject to the privileges granted the driver of  
27 an authorized emergency vehicle in this title.

28 (b) Proper position and legibility of device.--No provision  
29 of this title for which official traffic-control devices are  
30 required shall be enforced against an alleged violator if at the

1 time and place of the alleged violation an official device is  
2 not in proper position and sufficiently legible to be seen by an  
3 ordinarily observant person. Whenever a particular section does  
4 not state that official traffic-control devices are required,  
5 the section shall be effective even though no devices are  
6 erected or in place.

7 (c) Presumption of authorized placement.--Whenever official  
8 traffic-control devices are placed OR HELD in position <—  
9 approximately conforming to the requirements of this title, the  
10 devices shall be presumed to have been so placed by the official  
11 act or direction of lawful authority, unless the contrary shall  
12 be established by competent evidence.

13 (d) Presumption of proper devices.--Any official traffic-  
14 control device placed OR HELD pursuant to the provisions of this <—  
15 title and purporting to conform to the lawful requirements  
16 pertaining to such devices shall be presumed to comply with the  
17 requirements of this title, unless the contrary shall be  
18 established by competent evidence.

19 § 3112. Traffic-control signals.

20 (a) General rule.--Whenever traffic is controlled by  
21 traffic-control signals exhibiting different colored lights, or  
22 colored lighted arrows, successively one at a time or in  
23 combination, only the colors green, red and yellow shall be  
24 used, except for special pedestrian signals carrying a word  
25 legend, and the lights shall indicate and apply to drivers of  
26 vehicles and pedestrians as follows:

27 (1) Green indication.--

28 (i) Vehicular traffic facing a circular green signal  
29 may proceed straight through or turn right or left unless  
30 a sign at such place prohibits either such turn except

1       that vehicular traffic, including vehicles turning right  
2       or left, shall yield the right-of-way to other vehicles  
3       and to pedestrians lawfully within the intersection or an  
4       adjacent crosswalk at the time the signal is exhibited.

5           (ii) Vehicular traffic facing a green arrow signal,  
6       shown alone or in combination with another indication,  
7       may enter the intersection only to make the movement  
8       indicated by the arrow, or such other movement as is  
9       permitted by other indications shown at the same time.

10       Such vehicular traffic shall yield the right-of-way to  
11       pedestrians lawfully within an adjacent crosswalk and to  
12       other traffic lawfully using the intersection.

13           (iii) Unless otherwise directed by a pedestrian-  
14       control signal as provided in section 3113 (relating to  
15       pedestrian-control signals), pedestrians facing any green  
16       signal may proceed across the roadway within a crosswalk.

17       (2) Steady yellow indication.--

18           (i) Vehicular traffic facing a steady yellow signal  
19       is thereby warned that the related green indication is  
20       being terminated or that a red indication will be  
21       exhibited immediately thereafter. ~~when vehicular traffic~~ <—

22       ~~shall not enter the intersection.~~

23           (ii) Unless otherwise directed by a pedestrian-  
24       control signal as provided in section 3113, pedestrians  
25       facing a steady yellow signal are thereby advised that  
26       there is insufficient time to cross the roadway before a  
27       red indication is shown and no pedestrian shall then  
28       start to cross the roadway.

29       (3) Steady red indication.--

30           (i) Vehicular traffic facing a steady red signal

1 alone shall stop at a clearly marked stop line, or if  
2 none, before entering the crosswalk on the near side of  
3 the intersection, or if none, then before entering the  
4 intersection and shall remain standing until an  
5 indication to proceed is shown except as provided in  
6 subparagraph (ii).

7 (ii) ~~When~~ UNLESS a sign is in place ~~permitting~~ <—  
8 PROHIBITING a turn, vehicular traffic facing a steady red <—  
9 signal may enter the intersection to turn right, or to  
10 turn left from a one-way roadway onto a one-way roadway  
11 after stopping as required by subparagraph (i). Such  
12 vehicular traffic shall yield the right-of-way to  
13 pedestrians lawfully within an adjacent crosswalk and to  
14 other traffic lawfully using the intersection.

15 (iii) Unless otherwise directed by a pedestrian-  
16 control signal as provided in section 3113, pedestrians  
17 facing a steady red signal alone shall not enter the  
18 roadway.

19 (b) Places other than intersections.--In the event an  
20 official traffic-control signal is erected and maintained at a  
21 place other than an intersection, the provisions of this section  
22 shall be applicable except as to those provisions which by their  
23 nature can have no application. Any stop required shall be made  
24 at a sign or marking on the pavement indicating where the stop  
25 shall be made, but in the absence of any such sign or marking  
26 the stop shall be made at the signal.

27 (c) Inoperable or malfunctioning signal.--If a traffic  
28 control signal is out of operation or is not functioning  
29 properly, vehicular traffic facing a:

30 (1) Green or yellow signal may proceed with caution as

1 indicated in subsection (a)(1) and (2).

2 (2) Red signal shall stop in the same manner as at a  
3 stop sign, and the right to proceed shall be subject to the  
4 rules applicable after making a stop at a stop sign as  
5 provided in section 3323 (relating to stop signs and yield  
6 signs).

7 § 3113. Pedestrian-control signals.

8 Whenever special pedestrian-control signals exhibiting the  
9 words "Walk" or "Don't Walk" are in place, the signals shall  
10 indicate as follows:

11 (1) "Walk".--Pedestrians facing the signal may proceed  
12 across the roadway in the direction of the signal and shall  
13 be given the right-of-way by the drivers of all vehicles.

14 (2) "Don't Walk".--No pedestrian shall start to cross  
15 the roadway in the direction of the signal, but any  
16 pedestrian who has partially completed his crossing on the  
17 "Walk" signal shall proceed to a sidewalk or safety zone  
18 while the "Don't Walk" signal is showing.

19 (3) Flashing "Walk".--Whenever the "Walk" indication is  
20 flashing, pedestrians facing the signal are cautioned that  
21 there is possible hazard from turning vehicles, but  
22 pedestrians may proceed across the roadway in the direction  
23 of the signal indication and shall be given the right-of-way  
24 by the drivers of all vehicles.

25 (4) Flashing "Don't Walk".--Whenever the "Don't Walk"  
26 indication is flashing, no pedestrian shall start to cross  
27 the roadway in the direction of the indication, but any  
28 pedestrian who has partly completed crossing during the  
29 "Walk" indication shall proceed to a sidewalk or safety zone,  
30 and all drivers of vehicles shall yield to the pedestrian.

1 § 3114. Flashing signals.

2 (a) General rule.--Whenever a flashing red or yellow signal  
3 is used in a traffic signal or with a traffic sign it shall  
4 require obedience by vehicular traffic as follows:

5 (1) Flashing red.--When a red lens is illuminated with  
6 rapid intermittent flashes, drivers of vehicles shall stop in  
7 the same manner as at a stop sign, and the right to proceed  
8 shall be subject to the rules applicable after making a stop  
9 at a stop sign as provided in section 3323 (relating to stop  
10 signs and yield signs).

11 (2) Flashing yellow.--When a yellow lens is illuminated  
12 with rapid intermittent flashes, drivers of vehicles may  
13 proceed through the intersection or past such signal only  
14 with caution.

15 (b) Railroad grade crossings.--This section does not apply  
16 at railroad grade crossings. Conduct of drivers of vehicles  
17 approaching railroad grade crossings shall be governed by the  
18 rules as set forth in section 3341 (relating to obedience to  
19 signal indicating approach of train).

20 § 3115. Lane-direction-control signals.

21 When lane-direction-control signals are placed over the  
22 individual lanes of a street or highway, vehicular traffic may  
23 travel in any lane over which a green signal is shown, but shall  
24 not enter or travel in any lane over which a red signal is  
25 shown.

1 CHAPTER 33

2 RULES OF THE ROAD IN GENERAL

3 Subchapter

4 A. General Provisions

- 1 B. Right-of-way
- 2 C. Turning, Starting and Signals
- 3 D. Special Stops Required
- 4 E. Stopping, Standing and Parking
- 5 F. Speed Restrictions

6 SUBCHAPTER A

7 GENERAL PROVISIONS

8 Sec.

- 9 3301. Driving on right side of roadway.
- 10 3302. Meeting vehicle proceeding in opposite direction.
- 11 3303. Overtaking vehicle on the left.
- 12 3304. Overtaking vehicle on the right.
- 13 3305. Limitations on overtaking on the left.
- 14 3306. Limitations on driving on left side of roadway.
- 15 3307. No-passing zones.
- 16 3308. One-way roadways and rotary traffic islands.
- 17 3309. Driving on roadways laned for traffic.
- 18 3310. Following too closely.
- 19 3311. Driving on divided highways.
- 20 3312. Limited-access highway entrances and exits.
- 21 3313. Restrictions on use of limited-access highways.
- 22 3314. PROHIBITING USE OF HEARING IMPAIRMENT DEVICES.

<—

23 § 3301. Driving on right side of roadway.

24 (a) General rule.--Upon all roadways of sufficient width, a  
25 vehicle shall be driven upon the right half of the roadway  
26 except as follows:

27 (1) When overtaking and passing another vehicle  
28 proceeding in the same direction where permitted by the rules  
29 governing such movement.

30 (2) When an obstruction exists making it necessary to

1 drive to the left of the center of the roadway, provided the  
2 driver yields the right-of-way to all vehicles traveling in  
3 the proper direction upon the unobstructed portion of the  
4 roadway within such distance as to constitute a hazard.

5 (3) When and where official traffic-control devices are  
6 in place designating a lane or lanes to the left side of the  
7 center of the roadway for the movement indicated by the  
8 devices.

9 (4) Upon a roadway restricted to one-way traffic.

10 (5) When making a left turn as provided in sections 3322  
11 (relating to vehicle turning left) and 3331 (relating to  
12 required position and method of turning).

13 (b) Vehicle proceeding at less than normal speed.--Upon all  
14 roadways any vehicle proceeding at less than the normal speed of  
15 traffic at the time and place and under the conditions then  
16 existing shall be driven in the right-hand lane then available  
17 for traffic, or as close as practicable to the right-hand curb  
18 or edge of the roadway, except when overtaking and passing  
19 another vehicle proceeding in the same direction or when  
20 preparing for a left turn at an intersection or into an alley,  
21 private road or driveway. This subsection does not apply to a  
22 driver who must necessarily drive in a lane other than the  
23 right-hand lane to continue on his intended route.

24 § 3302. Meeting vehicle proceeding in opposite direction.

25 Drivers of vehicles proceeding in opposite directions shall  
26 pass each other to the right and, upon roadways having width for  
27 not more than one line of traffic in each direction, each driver  
28 shall give to the other at least one-half of the main-traveled  
29 portion of the roadway as nearly as possible.

30 § 3303. Overtaking vehicle on the left.



1 (a) General rule.--The following rules shall govern the  
2 overtaking and passing of vehicles proceeding in the same  
3 direction, subject to the limitations, exceptions and special  
4 rules stated in this chapter:

5 (1) The driver of a vehicle overtaking another vehicle  
6 proceeding in the same direction shall pass to the left of  
7 the other vehicle at a safe distance and shall stay to the  
8 left of the other vehicle until safely clear of the overtaken  
9 vehicle.

10 (2) Except when overtaking and passing on the right is  
11 permitted, the driver of an overtaken vehicle shall not  
12 increase the speed of the vehicle until completely passed by  
13 the overtaking vehicle and shall give way to the right in  
14 favor of the overtaking vehicle on suitable signal.

15 (b) Suitable signal defined.--Suitable signal for purposes  
16 of subsection (a)(2) shall be as follows:

17 (1) At all times when head lamps are required to be  
18 lighted according to section 4302 (relating to the period for  
19 requiring lighted lamps), an audible signal or the  
20 intermittent flashing of low and high beams except that the  
21 use of high beams shall not be permitted when a vehicle is  
22 approaching from the opposite direction within 500 feet.

23 (2) At all other times, an audible signal or turning  
24 head lamps on and off rapidly.

25 § 3304. Overtaking vehicle on the right.

26 (a) General rule.--The driver of a vehicle may overtake and  
27 pass upon the right of another vehicle only under one of the  
28 following conditions:

29 (1) When the vehicle overtaken is making or about to  
30 make a left turn, except that such movement shall not be made

1 by driving off the highway.

2 (2) Upon a roadway with unobstructed pavement of  
3 sufficient width for two or more lines of vehicles moving  
4 lawfully in the direction being traveled by the overtaken  
5 vehicle, except that such movement shall not be made by  
6 driving off the roadway.

7 (b) Limitation.--No passing movement under this section  
8 shall be made unless the movement can be made in safety.

9 § 3305. Limitations on overtaking on the left.

10 No vehicle shall be driven to the left side of the center or  
11 marked center line of the roadway in overtaking and passing  
12 another vehicle proceeding in the same direction unless the left  
13 side is clearly visible and is free of oncoming traffic for a  
14 sufficient distance ahead to permit the overtaking and passing  
15 to be completely made without interfering with the operation of  
16 any vehicle approaching from the opposite direction or any  
17 vehicle overtaken. In every event the overtaking vehicle must  
18 return to an authorized lane of travel as soon as practicable  
19 and, in the event the passing movement involves the use of a  
20 lane authorized for vehicles approaching from the opposite  
21 direction, before coming within 200 feet of any approaching  
22 vehicle.

23 § 3306. Limitations on driving on left side of roadway.

24 (a) General rule.--No vehicle shall be driven on the left  
25 side of the roadway under any of the following conditions:

26 (1) When approaching or upon the crest of a grade or a  
27 curve in the highway where the driver's view is obstructed  
28 within such distance as to create a hazard in the event  
29 another vehicle might approach from the opposite direction.

30 (2) When approaching within 100 feet of or traversing

any intersection or railroad grade crossing, unless otherwise indicated by official traffic-control devices.

(3) When the view is obstructed upon approaching within 100 feet of any bridge, viaduct or tunnel.

(b) Application of section.--This section does not apply under the conditions described in section 3301(a)(2), (3), (4) and (5) (relating to driving on right side of roadway).

§ 3307. No-passing zones.

(a) Establishment and marking.--The department and local authorities may determine those portions of any highway under their respective jurisdictions where overtaking and passing or driving on the left side of the roadway would be especially hazardous and may by appropriate signs or markings on the roadway indicate the beginning and end of such zones and when the signs or markings are in place and clearly visible to an ordinarily observant person every driver of a vehicle shall obey the directions of the signs or markings.

(b) Compliance by drivers.--Where signs or markings are in place to define a no-passing zone as set forth in subsection (a), no driver shall at any time drive on the left side of the roadway within the no-passing zone or on the left side of any pavement striping designed to mark a no-passing zone throughout its length.

(c) Construction of section.--This section does not prohibit completion of a pass which was lawfully commenced prior to entering a no-passing zone if the pass can be completed with safety.

(d) Application of section.--This section does not apply under the conditions described in section 3301(a)(2) and (5) (relating to driving on right side of roadway).

1 § 3308. One-way roadways and rotary traffic islands.

2 (a) Establishment and marking.--The department and local  
3 authorities with respect to highways under their respective  
4 jurisdictions may designate any highway, roadway, part of a  
5 roadway or specific lanes upon which vehicular traffic shall  
6 proceed in one direction at all or such times as shall be  
7 indicated by official traffic-control devices.

8 (b) Driving on one-way roadway.--Upon a roadway designated  
9 for one-way traffic, a vehicle shall be driven only in the  
10 direction designated at all or such times as shall be indicated  
11 by official traffic-control devices.

12 (c) Driving around rotary traffic island.--A vehicle passing  
13 around a rotary traffic island shall be driven only to the right  
14 of the island.

15 § 3309. Driving on roadways laned for traffic.

16 Whenever any roadway has been divided into two or more  
17 clearly marked lanes for traffic the following rules in addition  
18 to all others not inconsistent therewith shall apply:

19 (1) Driving within single lane.--A vehicle shall be  
20 driven as nearly as practicable entirely within a single lane  
21 and shall not be moved from the lane until the driver has  
22 first ascertained that the movement can be made with safety.

23 (2) Three lane roadways.--Upon a roadway which is  
24 divided into three lanes and provides for two-way movement of  
25 traffic, a vehicle shall not be driven in the center lane  
26 except when overtaking and passing another vehicle traveling  
27 in the same direction when the center lane is clear of  
28 traffic within a safe distance, or in preparation for making  
29 a left turn, or where the center lane is allocated  
30 exclusively to traffic moving in the same direction that the

1 vehicle is proceeding and the allocation is designated by  
2 official traffic-control devices.

3 (3) Lanes limited to specific use.--Official traffic-  
4 control devices may be erected to restrict the use of  
5 specified lanes to specified classes or types of traffic or  
6 vehicles, including multi-occupant vehicles or car pools, and  
7 drivers of vehicles shall obey the directions of every such  
8 device.

9 (4) Prohibitions against changing lanes.--Official  
10 traffic-control devices may be installed prohibiting the  
11 changing of lanes on a section of roadway and drivers of  
12 vehicles shall obey the directions of every such device.

13 § 3310. Following too closely.

14 (a) General rule.--The driver of a motor vehicle shall not  
15 follow another vehicle more closely than is reasonable and  
16 prudent, having due regard for the speed of the vehicles and the  
17 traffic upon and the condition of the highway.

18 (b) Combinations of vehicles and trucks.--The driver of any  
19 motor vehicle drawing another vehicle or of any truck when  
20 traveling upon a roadway outside of an urban district and  
21 following a motor vehicle drawing another vehicle or following a  
22 truck shall, whenever conditions permit, leave sufficient space  
23 so that an overtaking vehicle may enter and occupy the space  
24 without danger, except that this subsection does not prevent a  
25 motor vehicle drawing another vehicle or prevent a truck from  
26 overtaking and passing any vehicle or combination of vehicles.

27 (c) Caravans and motorcades.--Upon any roadway outside of an  
28 urban district motor vehicles being driven in a caravan or  
29 motorcade, whether or not towing other vehicles, shall be so  
30 operated as to allow sufficient space between each vehicle or

1 combination of vehicles so as to enable any other vehicle to  
2 enter and occupy space without danger. This subsection does not  
3 apply to funeral processions.

4 § 3311. Driving on divided highways.

5 (a) General rule.--Whenever any highway has been divided  
6 into two or more roadways by leaving an intervening space,  
7 physical barrier or clearly indicated dividing section so  
8 constructed as to impede vehicular traffic, every vehicle shall  
9 be driven only upon the right-hand roadway unless directed or  
10 permitted to use another roadway by official traffic-control  
11 devices, police officers or appropriately attired persons  
12 authorized to direct, control or regulate traffic. No vehicle  
13 shall be driven over, across or within any such dividing space,  
14 barrier or section except through an opening in the physical  
15 barrier or dividing section or space or at a crossover or  
16 intersection as established.

17 (b) Traffic-control devices regulating turns.--Whenever  
18 necessary for the protection and safety of traffic, official  
19 traffic-control devices may be installed at an opening in the  
20 physical barrier or dividing section or space or at a crossover  
21 or intersection prohibiting or regulating a turn or turns as may  
22 be necessary pursuant to the authority of this title.

23 § 3312. Limited-access highway entrances and exits.

24 No person shall drive a vehicle onto or from any limited-  
25 access highway except at such entrances and exits as are  
26 established by public authority.

27 § 3313. Restrictions on use of limited-access highways.

28 (a) General rule.--The department may regulate or prohibit  
29 the use of any limited-access highway by any class or kind of  
30 traffic which is found to be incompatible with the normal and

1 safe movement of traffic.

2 (b) Traffic-control devices at entrances.--The department,  
3 when adopting any prohibition under this section, shall erect  
4 and maintain official traffic-control devices at the entrances  
5 to the limited-access highway on which the prohibitions are  
6 applicable and when in place no person shall disobey the  
7 restrictions stated on the devices.

8 § 3314. PROHIBITING USE OF HEARING IMPAIRMENT DEVICES. <—

9 (A) GENERAL RULE.--NO DRIVER SHALL OPERATE A MOTOR VEHICLE  
10 WHILE WEARING OR USING HEADPHONES, EARPHONES OR ANY SIMILAR  
11 DEVICE WHICH THE DEPARTMENT BY REGULATION DETERMINES WOULD  
12 IMPAIR THE ABILITY OF THE DRIVER TO HEAR TRAFFIC SOUNDS.

13 (B) EXCEPTION.--THIS SECTION DOES NOT PROHIBIT THE USE OF  
14 HEARING AIDS OR OTHER DEVICES FOR IMPROVING THE HEARING OF THE  
15 DRIVER.

16 SUBCHAPTER B

17 RIGHT-OF-WAY

18 Sec.

19 3321. Vehicle approaching or entering intersection.

20 3322. Vehicle turning left.

21 3323. Stop signs and yield signs.

22 3324. Vehicle entering or crossing roadway.

23 3325. Duty of driver on approach of emergency vehicle.

24 3326. Duty of driver in construction and maintenance areas.

25 § 3321. Vehicle approaching or entering intersection.

26 (a) General rule.--When two vehicles approach or enter an  
27 intersection from different highways at approximately the same  
28 time, the driver of the vehicle on the left shall yield the  
29 right-of-way to the vehicle on the right.

30 (b) Exception.--The right-of-way rule declared in subsection

1 (a) is modified at through highways and otherwise as stated in  
2 this part.

3 § 3322. Vehicle turning left.

4 The driver of a vehicle intending to turn left within an  
5 intersection or into an alley, private road or driveway shall  
6 yield the right-of-way to any vehicle approaching from the  
7 opposite direction which is so close as to constitute a hazard.

8 § 3323. Stop signs and yield signs.

9 (a) Intersections controlled by signs.--Preferential right-  
10 of-way at an intersection may be indicated by stop signs or  
11 yield signs as authorized in section 6124 (relating to erection  
12 of traffic-control devices at intersections).

13 (b) Duties at stop signs.--Except when directed to proceed  
14 by a police officer or appropriately attired persons authorized  
15 to direct, control or regulate traffic, every driver of a  
16 vehicle approaching a stop sign shall stop at a clearly marked  
17 stop line or, if none, before entering a crosswalk on the near  
18 side of the intersection or, if none, then at the point nearest  
19 the intersecting roadway where the driver has a view of  
20 approaching traffic on the intersecting roadway before entering.  
21 After having stopped, the driver shall yield the right-of-way to  
22 any pedestrian in a crosswalk or to any vehicle in the  
23 intersection or approaching on another roadway so closely as to  
24 constitute a hazard during the time when the driver is moving  
25 across or within the intersection or junction of roadways.

26 (c) Duties at yield signs.--The driver of a vehicle  
27 approaching a yield sign shall in obedience to the sign slow  
28 down to a speed reasonable for the existing conditions and, if  
29 required for safety to stop, shall stop before entering a  
30 crosswalk on the near side of the intersection or, if none, then



1 at the point nearest the intersecting roadway where the driver  
2 has a view of approaching traffic on the intersecting roadway  
3 before entering. After slowing down or stopping, the driver  
4 shall yield the right-of-way to any vehicle in the intersection  
5 or approaching on another roadway so closely as to constitute a  
6 hazard during the time the driver is moving across or within the  
7 intersection or junction of roadways. If a driver is involved in  
8 a collision with a vehicle in the intersection or junction of  
9 roadways after driving past a yield sign without stopping, the  
10 collision shall be deemed prima facie evidence of failure of the  
11 driver to yield the right-of-way.

12 § 3324. Vehicle entering or crossing roadway.

13 The driver of a vehicle about to enter or cross a roadway  
14 from any place other than another roadway shall yield the right-  
15 of-way to all vehicles approaching on the roadway to be entered  
16 or crossed.

17 § 3325. Duty of driver on approach of emergency vehicle.

18 (a) General rule.--Upon the immediate approach of an  
19 emergency vehicle making use of an audible signal and visual  
20 signals meeting the requirements and standards set forth in  
21 regulations adopted by the department, or of a police vehicle  
22 properly and lawfully making use of an audible signal only, the  
23 driver of every other vehicle shall yield the right-of-way and  
24 shall immediately drive to a position parallel to, and as close  
25 as possible to, the right-hand edge or curb of the roadway clear  
26 of any intersection and shall stop and remain in that position  
27 until the emergency vehicle has passed, except when otherwise  
28 directed by a police officer. On one-way roadways a driver may  
29 comply by driving to the edge or curb which is nearest to the  
30 lane in which he is traveling.

(b) Duty of operator of streetcar.--Upon the approach of an emergency vehicle, the operator of every streetcar shall immediately stop the streetcar clear of any intersection and remain in that position until the emergency vehicle has passed, except when otherwise directed by a police officer.

§ 3326. Duty of driver in construction and maintenance areas.

(a) Areas indicated by traffic-control devices.--The driver of a vehicle shall yield the right-of-way to any authorized vehicle or pedestrian actually engaged in work upon a highway within any highway or utility construction or maintenance area indicated by official traffic-control devices.

(b) Work vehicles displaying flashing lights.--The driver of a vehicle shall yield the right-of-way to any authorized vehicle obviously and actually engaged in work upon a highway whenever the vehicle displays flashing lights meeting the requirements and regulations promulgated by the department.

#### SUBCHAPTER C

#### TURNING, STARTING AND SIGNALS

Sec.

3331. Required position and method of turning.

3332. Limitations on turning around.

3333. Moving stopped or parked vehicle.

3334. Turning movements and required signals.

3335. Signals by hand and arm or signal lamps.

3336. Method of giving hand and arm signals.

§ 3331. Required position and method of turning.

(a) Right turn.--The driver of a vehicle intending to turn right shall approach the turn and make the turn as close as practicable to the right-hand curb or edge of the roadway.

(b) Left turn.--The driver of a vehicle intending to turn

1 left shall approach the turn in the extreme left-hand lane  
2 lawfully available to traffic moving in the direction of travel  
3 of the vehicle. Whenever practicable, the left turn shall be  
4 made to the left of the center of the intersection and so as to  
5 leave the intersection or location in the extreme left-hand lane  
6 lawfully available to traffic moving in the same direction as  
7 the vehicle on the roadway being entered.

8 (c) Compliance with traffic-control devices.--The department  
9 and local authorities on highways under their respective  
10 jurisdictions may cause official traffic-control devices to be  
11 placed and thereby require and direct that a different course  
12 from that specified in this section be traveled by turning  
13 vehicles and when the devices are so placed no driver shall turn  
14 a vehicle other than as directed and required by the devices.

15 (D) TWO-WAY LEFT TURN LANES.--WHERE A SPECIAL LANE FOR <—  
16 MAKING LEFT TURNS BY DRIVERS PROCEEDING IN OPPOSITE DIRECTIONS  
17 HAS BEEN INDICATED BY OFFICIAL TRAFFIC-CONTROL DEVICES:

18 (1) A LEFT TURN SHALL NOT BE MADE FROM ANY OTHER LANE.

19 (2) A VEHICLE SHALL NOT BE DRIVEN IN THE LANE EXCEPT  
20 WHEN PREPARING FOR OR MAKING A LEFT TURN FROM OR INTO THE  
21 ROADWAY OR WHEN PREPARING FOR OR MAKING A U TURN WHEN  
22 OTHERWISE PERMITTED BY LAW.

23 § 3332. Limitations on turning around.

24 (a) General rule.--The driver of any vehicle shall not turn  
25 the vehicle so as to proceed in the opposite direction unless  
26 the movement can be made in safety and without interfering with  
27 other traffic.

28 (b) Turns on curves or grades.--No vehicle shall be turned  
29 so as to proceed in the opposite direction upon any curve, or  
30 upon the approach to or near the crest of a grade, where the

1 vehicle cannot be seen by the driver of any other vehicle  
2 approaching from either direction within 500 feet.

3 § 3333. Moving stopped or parked vehicle.

4 No person shall move a vehicle which is stopped, standing or  
5 parked unless and until the movement can be made with reasonable  
6 safety.

7 § 3334. Turning movements and required signals.

8 (a) General rule.--Upon a roadway no person shall turn a  
9 vehicle or move from one traffic lane to another or enter the  
10 traffic stream from a parked position unless and until the  
11 movement can be made with reasonable safety nor without giving  
12 an appropriate signal in the manner provided in this section.

13 (b) Signals on turning and starting.--At speeds of less than  
14 35 miles per hour, an appropriate signal of intention to turn  
15 right or left shall be given continuously during not less than  
16 the last 100 feet traveled by the vehicle before turning. The  
17 signal shall be given during not less than the last 300 feet at  
18 speeds in excess of 35 miles per hour. The signal shall also be  
19 given prior to entry of the vehicle into the traffic stream from  
20 a parked position.

21 (c) Signals on stopping or decreasing speed.--No person  
22 shall stop or suddenly decrease the speed of a vehicle without  
23 first giving an appropriate signal in the manner provided in  
24 this subchapter to the driver of any vehicle to the rear when  
25 there is opportunity to give the signal.

26 (d) Limitations on use of certain signals.--The signals  
27 required on vehicles by section 3335(b) (relating to signals by  
28 hand and arm or signal lamps) shall not be flashed on one side  
29 only on a disabled vehicle, flashed as a courtesy or "do pass"  
30 signal to operators of other vehicles approaching from the rear,

1 nor be flashed on one side only of a parked vehicle except as  
2 may be necessary for compliance with this section.

3 (e) Discontinuing turn signals.--Turn signals shall be  
4 discontinued immediately after completing the turn or movement  
5 from one traffic lane to another traffic lane.

6 § 3335. Signals by hand and arm or signal lamps.

7 (a) General rule.--Any stop or turn signal shall be given  
8 either by means of the hand and arm or by signal lamps, except  
9 as otherwise provided in subsection (b).

10 (b) Required signals by signal lamps.--Any motor vehicle in  
11 use on a highway shall be equipped with, and required signal  
12 shall be given by, signal lamps when the distance from the  
13 center of the top of the steering post to the left outside limit  
14 of the body, cab or load of the motor vehicle exceeds 24 inches,  
15 or when the distance from the center of the top of the steering  
16 post to the rear limit of the body or load exceeds 14 feet. The  
17 latter measurement shall apply to any single vehicle and to any  
18 combination of vehicles.

19 (C) EXCEPTION.--THIS SECTION DOES NOT APPLY TO AN ANTIQUE OR <—  
20 CLASSIC VEHICLE WHICH WAS NOT ORIGINALLY EQUIPPED WITH SIGNAL  
21 LAMPS.

22 § 3336. Method of giving hand and arm signals.

23 All signals given by hand and arm shall be given from the  
24 left side of the vehicle in the following manner and the signals  
25 shall indicate as follows:

26 (1) For a left turn, the hand and arm shall be extended  
27 horizontally.

28 (2) For a right turn, the hand and arm shall be extended  
29 upward.

30 (3) To stop or decrease speed, the hand and arm shall be

1 extended downward.

2 SUBCHAPTER D

3 SPECIAL STOPS REQUIRED

4 Sec.

5 3341. Obedience to signal indicating approach of train.

6 3342. Vehicles required to stop at railroad crossings.

7 3343. Moving heavy equipment at railroad grade crossings.

8 3344. Emerging from alley, driveway or building.

9 3345. Meeting or overtaking school bus.

10 § 3341. Obedience to signal indicating approach of train.

11 (a) General rule.--Whenever any person driving a vehicle  
12 approaches a railroad grade crossing under any of the  
13 circumstances stated in this section, the driver of the vehicle  
14 shall stop within 50 feet but not less than 15 feet from the  
15 nearest rail of the railroad and shall not proceed until it can  
16 be done safely. The foregoing requirements shall apply upon the  
17 occurrence of any of the following circumstances:

18 (1) A clearly visible electric or mechanical signal  
19 device gives warning of the immediate approach of a railroad  
20 train.

21 (2) A crossing gate is lowered or a flagman gives or  
22 continues to give a signal of the approach or passage of a  
23 railroad train.

24 (3) A railroad train approaching within approximately  
25 1,500 feet of the highway crossing emits a signal audible  
26 from that distance and the railroad train, by reason of its  
27 speed or nearness to the crossing, is a hazard.

28 (4) An approaching railroad train is plainly visible and  
29 is in hazardous proximity to the crossing.

30 (b) Compliance with crossing gate or barrier.--No person

1 shall drive any vehicle through, around or under any crossing  
2 gate or barrier at a railroad crossing while the gate or barrier  
3 is closed or is being opened or closed.

4 § 3342. Vehicles required to stop at railroad crossings.

5 (a) General rule.--Except as provided in subsection (b), the  
6 driver of any vehicle described in regulations issued pursuant  
7 to subsection (c), before crossing at grade any track or tracks  
8 of a railroad, shall stop the vehicle within 50 feet but not  
9 less than 15 feet from the nearest rail of the railroad and  
10 while so stopped shall listen and look in both directions along  
11 the track for any approaching train, and for signals indicating  
12 the approach of a train, and shall not proceed until it can be  
13 done safely. After stopping and upon proceeding when it is safe  
14 to do so the driver of the vehicle shall cross only in such gear  
15 of the vehicle that there will be no necessity for manually  
16 changing gears while traversing the crossing and the driver  
17 shall not manually shift gears while crossing the track or  
18 tracks.

19 (b) Exceptions.--This section does not apply at any of the  
20 following:

21 (1) Any railroad grade crossing at which traffic is  
22 controlled by a police officer or flagman.

23 (2) Any railroad grade crossing at which traffic is  
24 regulated by a traffic control signal.

25 (3) Any railroad grade crossing protected by crossing  
26 gates or an alternately flashing light signal intended to  
27 give warning of the approach of a railroad train.

28 (4) Any railroad grade crossing at which an official  
29 traffic-control device gives notice that the stopping  
30 requirement imposed by this section does not apply.

1 (c) Regulations defining vehicles subject to section.--The  
2 department shall adopt such regulations as may be necessary  
3 describing the vehicles which must comply with the stopping  
4 requirements of this section. In formulating the regulations,  
5 the department shall give consideration to the hazardous nature  
6 of any substance carried by the vehicle as determined by the  
7 Hazardous Substances Transportation Board and to the number of  
8 passengers carried by the vehicle in determining whether the  
9 vehicle shall be required to stop. These regulations shall be  
10 developed in conjunction with the Pennsylvania Public Utility  
11 Commission and shall correlate with and so far as possible  
12 conform to the current regulations of the United States  
13 Department of Transportation.

14 § 3343. Moving heavy equipment at railroad grade crossings.

15 (a) General rule.--No person shall operate or move any  
16 crawler-type tractor, power shovel, derrick, roller or any  
17 equipment or structure having a normal operating speed of ten or  
18 less miles per hour or a vertical body or load clearance of less  
19 than one-half inch per foot of the distance between any two  
20 adjacent axles or in any event of less than nine inches measured  
21 above the level surface of a roadway, upon or across any tracks  
22 at a railroad grade crossing without first complying with this  
23 section.

24 (b) Notice of intended crossing.--Notice of any intended  
25 crossing shall be given to an authorized representative of the  
26 railroad and a reasonable time be given to the railroad to  
27 provide proper protection at the crossing.

28 (c) Stopping at crossing.--Before making any crossing, the  
29 person operating or moving the vehicle or equipment shall first  
30 stop the vehicle or equipment not less than 15 feet nor more



1 than 50 feet from the nearest rail of the railroad and while so  
2 stopped shall listen and look in both directions along the track  
3 for any approaching train and for signals indicating the  
4 approach of a train, and shall not proceed until the crossing  
5 can be made safely.

6 (d) Movement over crossing.--No crossing shall be made when  
7 warning is given by automatic signal or crossing gates or a  
8 flagman or otherwise of the immediate approach of a railroad  
9 train or car. Movement over a crossing shall be under the  
10 direction of any flagman provided by the railroad.

11 § 3344. Emerging from alley, driveway or building.

12 Unless otherwise directed by official traffic-control devices  
13 erected in accordance with provisions of Subchapter B of Chapter  
14 31 (relating to traffic-control devices), the driver of a  
15 vehicle emerging from an alley, building, private road or  
16 driveway within an urban district shall stop the vehicle  
17 immediately prior to driving onto a sidewalk or onto the  
18 sidewalk area extending across the alley, building entrance,  
19 private road or driveway or, in the event there is no sidewalk  
20 area, shall stop at the point nearest the street to be entered  
21 where the driver has a view of approaching traffic.

22 § 3345. Meeting or overtaking school bus.

23 (a) Duty of approaching driver when red signals are  
24 flashing.--Except as provided in subsection (g), the driver of a  
25 vehicle meeting or overtaking any school bus stopped on the  
26 highway shall stop before reaching the school bus when the red  
27 signal lights on the school bus are flashing. The driver shall  
28 not proceed until the flashing red signal lights are no longer  
29 actuated. In no event shall a driver of a vehicle resume motion  
30 of the vehicle until the school children who may have alighted

1 from the school bus have reached a place of safety.

2 (b) Duty of approaching driver when amber signals are  
3 flashing.--The driver of a vehicle meeting or overtaking any  
4 school bus shall proceed past the school bus with caution and  
5 shall be prepared to stop when the amber signal lights are  
6 flashing.

7 (c) Use of red signals.--The red visual signals shall be  
8 actuated by the driver of every school bus whenever the vehicle  
9 is stopped on the highway for the purpose of receiving or  
10 discharging school children, except as provided in subsections  
11 (e) and (f). The signals shall not be terminated until the  
12 school children who may have alighted from the school bus have  
13 reached a place of safety.

14 (d) Use of amber signals.--The amber visual signals shall be  
15 actuated by the driver of every school bus not more than 300  
16 feet nor less than 150 feet prior to making a stop for the  
17 purpose of receiving or discharging school children and shall  
18 remain in operation until the red visual signals are actuated.  
19 Amber signals shall not be used unless the red visual signals  
20 are to be actuated immediately following.

21 (e) Limitations on use of signals.--The visual signals  
22 required in the regulations shall not be actuated ~~on streets in~~ <—  
23 ~~urban districts designated by the department or local~~  
24 ~~authorities, at intersections or other places where traffic is~~  
25 ~~controlled by uniformed police officers or appropriately attired~~  
26 ~~persons authorized to direct, control or regulate traffic, or in~~  
27 ~~school bus loading areas designated by the department or local~~  
28 ~~authorities~~ when the bus is entirely off the roadway.

29 (f) Operation for nonschool purposes.--When a school bus is  
30 being operated upon a highway for purposes other than the actual

1 transportation of school children to or from school or in  
2 connection with school activities, all markings indicating  
3 "SCHOOL BUS" shall be covered or concealed. During such  
4 operation, the flashing visual signals shall not be actuated.

5 (g) Exceptions from stopping requirements.--The driver of a  
6 vehicle upon a highway with separate roadways need not stop upon  
7 meeting or passing a school bus with actuated red signal lights  
8 which is on a different roadway nor when a school bus is stopped  
9 in a loading zone which is part of or adjacent to the highway.

10 (h) Loading zones for school children.--Every school  
11 district transporting school children by school bus shall  
12 establish and maintain SCHOOL BUS loading zones at or near all <—  
13 schools to or from which school children are transported and  
14 shall establish school bus loading zones along the highways  
15 traversed by school buses in accordance with regulations  
16 promulgated by the department.

17 (i) Mandatory use of loading zones.--Whenever school bus  
18 loading zones have been established at or near a school or along  
19 a highway, it is unlawful for a school bus operator to stop the  
20 bus to pick up or discharge school children at any location  
21 other than at the loading zones. A list of approved loading  
22 zones for the route of the bus shall be carried by the operator.

23 (j) Penalty.--Any person violating subsection (a) is guilty  
24 of a summary offense and shall, upon conviction, be sentenced to  
25 pay a fine of not less than \$50 nor more than \$100.

## 26 SUBCHAPTER E

### 27 STOPPING, STANDING AND PARKING

28 Sec.

29 3351. Stopping, standing and parking outside business and  
30 residence districts.

1 3352. Removal of vehicle by or at direction of police.

2 3353. Prohibitions in specified places.

3 3354. Additional parking regulations.

4 § 3351. Stopping, standing and parking outside business and  
5 residence districts.

6 (a) General rule.--Outside a business or residence district,  
7 no person shall stop, park or stand any vehicle, whether  
8 attended or unattended, upon the roadway when it is practicable  
9 to stop, park or stand the vehicle off the roadway. In the event  
10 it is necessary to stop, park or stand the vehicle on the  
11 roadway or any part of the roadway, an unobstructed width of the  
12 highway opposite the vehicle shall be left for the free passage  
13 of other vehicles and the vehicle shall be visible from a  
14 distance of 500 feet in each direction upon the highway.

15 (b) Exception for disabled vehicles.--This section and  
16 sections 3353 (relating to prohibitions in specified places) and  
17 3354 (relating to additional parking regulations) do not apply  
18 to the driver of any vehicle which is disabled in such a manner  
19 and to such an extent that it is impossible to avoid stopping  
20 and temporarily leaving the vehicle in that position.

21 § 3352. Removal of vehicle by or at direction of police.

22 (a) Outside business and residence districts.--Whenever any  
23 police officer finds a vehicle in violation of any of the  
24 provisions of section 3351 (relating to stopping, standing and  
25 parking outside business and residence districts), the officer  
26 may move the vehicle, or cause the vehicle to be moved, or  
27 require the driver or other person in charge of the vehicle to  
28 move the vehicle, to a position off the roadway.

29 (b) Unattended vehicle obstructing traffic.--Any police  
30 officer may remove or cause to be removed to a place of safety

1 any unattended vehicle illegally left standing upon any highway,  
2 bridge, causeway or in any tunnel, in such position or under  
3 such circumstances as to obstruct the normal movement of  
4 traffic.

5 (c) Removal to garage or place of safety.--Any police  
6 officer may remove or cause to be removed to a nearby garage or  
7 other place of safety any vehicle found upon a highway under any  
8 of the following circumstances:

9 (1) Report has been made that the vehicle has been  
10 stolen or taken without the consent of its owner.

11 (2) The person or persons in charge of the vehicle are  
12 physically unable to provide for the custody or removal of  
13 the vehicle.

14 (3) The person driving or in control of the vehicle is  
15 arrested for an alleged offense for which the officer is  
16 required by law to take the person arrested before an issuing  
17 authority without unnecessary delay.

18 (4) The vehicle is in violation of section 3353  
19 (relating to prohibitions in specified places) except for  
20 overtime parking.

21 (5) The vehicle has been abandoned as defined in this  
22 title. The officer shall comply with the provisions of  
23 subsection (d) and Chapter 73 (relating to abandoned vehicles  
24 and cargos).

25 (d) Notice to owner prior to removal.--

26 (1) Prior to removal of an abandoned vehicle bearing an <—  
27 ~~identifiable~~ A registration number PLATE BY WHICH THE LAST <—  
28 REGISTERED OWNER OF THE VEHICLE CAN BE DETERMINED, notice  
29 shall be sent by certified mail to the last registered owner  
30 of the vehicle informing the owner that unless he ~~moves~~ the <—

1 vehicle IS MOVED to a suitable location within ~~48 hours of~~ <—  
2 ~~receipt of the notice~~ FIVE DAYS OF THE DATE NOTICE IS MAILED, <—  
3 the vehicle will be removed under this section and held at a  
4 suitable facility where it may be reclaimed by the owner in  
5 accordance with the provisions of section 7306 (relating to  
6 payment of costs upon reclaiming vehicle). IF THE ABANDONED <—  
7 MOTOR VEHICLE DOES NOT BEAR AN IDENTIFIABLE REGISTRATION  
8 PLATE, THE NOTICE MAY BE SECURED TO THE VEHICLE.

9 (2) If, within the ~~48-hour~~ FIVE-DAY period, the owner so <—  
10 requests, the owner shall be given an opportunity to explain  
11 to the police officer or department why the owner believes  
12 the vehicle should not be moved. If the police officer or  
13 department determines that the vehicle shall, nonetheless, be  
14 moved, the owner shall be given an additional 48 hours to  
15 move the vehicle or have it moved.

16 (3) The provision for notice set forth in this  
17 subsection is in addition to any other notice requirements  
18 provided in Chapter 73.

19 § 3353. Prohibitions in specified places.

20 (a) General rule.--Except when necessary to avoid conflict  
21 with other traffic or to protect the safety of any person or  
22 vehicle or in compliance with law or the directions of a police  
23 officer or official traffic-control device, no person shall:

24 (1) Stop, stand or park a vehicle:

25 (i) On the roadway side of any vehicle stopped or  
26 parked at the edge or curb of a street.

27 (ii) On a sidewalk.

28 (iii) Within an intersection.

29 (iv) On a crosswalk.

30 (v) Between a safety zone and the adjacent curb

1 within 30 feet of points on the curb immediately opposite  
2 the ends of a safety zone, unless a different length is  
3 indicated by official traffic-control devices.

4 (vi) Alongside or opposite any street excavation or  
5 obstruction when stopping, standing or parking would  
6 obstruct traffic.

7 (vii) Upon any bridge or other elevated structure  
8 upon a highway or within a highway tunnel.

9 (viii) On any railroad tracks.

10 (ix) In the area between roadways of a divided  
11 highway, including crossovers.

12 (x) At any place where official signs prohibit  
13 stopping.

14 (2) Stand or park a vehicle:

15 (i) In front of a public or private driveway.

16 (ii) Within 15 feet of a fire hydrant.

17 (iii) Within 20 feet of a crosswalk at an  
18 intersection.

19 (iv) Within 30 feet upon the approach to any  
20 flashing signal, stop sign, yield sign or traffic-control  
21 signal located at the site of a roadway.

22 (v) Within 20 feet of the driveway entrance to any  
23 fire station or, when properly sign posted, on the side  
24 of a street opposite the entrance to any fire station  
25 within 75 feet of the entrance.

26 (vi) Where the vehicle would prevent the free  
27 movement of a streetcar.

28 (vii) On a limited-access highway unless authorized  
29 by official traffic-control devices.

30 (viii) At any place where official signs prohibit

1 standing.

2 (3) Park a vehicle:

3 (i) Within 50 feet of the nearest rail of a railroad  
4 crossing.

5 (ii) At any place where official signs prohibit  
6 parking.

7 (b) Unattended vehicle on private property.--No person shall  
8 park or leave unattended a vehicle on private property without  
9 the consent of the owner or other person in control or  
10 possession of the property except in the case of emergency or  
11 disablement of the vehicle, in which case the operator shall  
12 arrange for the removal of the vehicle as soon as possible.

13 (c) Property owner may remove vehicle.--The owner or other  
14 person in charge or possession of any property on which a  
15 vehicle is parked or left unattended in violation of the  
16 provisions of subsection (b) may remove or have removed the  
17 vehicle at the reasonable expense of the owner of the vehicle.

18 (d) Restrictions by appropriate authorities.--The department  
19 on State-designated highways and local authorities on any  
20 highway within their boundaries may by erection of official  
21 traffic-control devices prohibit, limit or restrict stopping,  
22 standing or parking of vehicles on any highway where engineering  
23 and traffic studies indicate that stopping, standing or parking  
24 is dangerous to those using the highway or where the stopping,  
25 standing or parking of vehicles would unduly interfere with the  
26 free movement of traffic.

27 (e) Penalty.--Any person violating any provision of this  
28 section is guilty of a summary offense and shall, upon  
29 conviction, be sentenced to pay a fine not less than \$5 nor more  
30 than \$25.



1 § 3354. Additional parking regulations.

2 (a) Two-way highways.--Except as otherwise provided in this  
3 section, every vehicle standing or parked upon a two-way highway  
4 shall be positioned parallel to and with the right-hand wheels  
5 within 12 inches of the right-hand curb or, in the absence of a  
6 curb, as close as practicable to the right edge of the right-  
7 hand shoulder.

8 (b) One-way highways.--Except as otherwise provided in this  
9 section, every vehicle standing or parked upon a one-way highway  
10 shall be positioned parallel to the curb or edge of the highway  
11 in the direction of authorized traffic movement with its right-  
12 hand wheels within 12 inches of the right-hand curb or, in the  
13 absence of a curb, as close as practicable to the right edge of  
14 the right-hand shoulder, or with its left-hand wheels within 12  
15 inches of the left-hand curb or, in the absence of a curb, as  
16 close as practicable to the left edge of the left-hand shoulder.

17 (c) Angle parking.--Local authorities may permit angle  
18 parking on any highway after an engineering and traffic study  
19 has determined that the highway is of sufficient width to permit  
20 angle parking without interfering with the free movement of  
21 traffic, except that on a State-designated highway prior  
22 approval of the department shall also be obtained.

23 (d) Vehicles with handicapped registration plates.--When a  
24 motor vehicle bearing registration plates issued to handicapped  
25 persons as prescribed in this title is being operated by or for  
26 the transportation of the handicapped person, the driver shall  
27 be relieved of any liability for parking for a period of 60  
28 minutes in excess of the legal parking period permitted by local  
29 authorities except where local ordinances or police regulations  
30 provide for the accommodation of heavy traffic during morning,

1 afternoon or evening hours.

2 (e) Penalty.--Any person violating subsection (a) or (b) is  
3 guilty of a summary offense and shall, upon conviction, be  
4 sentenced to pay a fine of not less than \$5 nor more than \$25.

5 SUBCHAPTER F

6 SPEED RESTRICTIONS

7 Sec.

8 3361. Driving vehicle at safe speed.

9 3362. Maximum speed limits.

10 3363. Alteration of maximum limits by department.

11 3364. Alteration of maximum limits by local authorities.

12 3365. Minimum speed regulation.

13 3366. Special speed limitations.

14 3367. Charging speed violations.

15 3368. Racing on highways.

16 3369. Speed timing devices.

17 § 3361. Driving vehicle at safe speed.

18 No person shall drive a vehicle at a speed greater than is  
19 reasonable and prudent under the conditions and having regard to  
20 the actual and potential hazards then existing, nor at a speed  
21 greater than will permit the driver to bring his vehicle to a  
22 stop within the assured clear distance ahead. Consistent with  
23 the foregoing, every person shall drive at a safe and  
24 appropriate speed when approaching and crossing an intersection  
25 or railroad grade crossing, when approaching and going around a  
26 curve, when approaching a hill crest, when traveling upon any  
27 narrow or winding roadway and when special hazards exist with  
28 respect to pedestrians or other traffic or by reason of weather  
29 or highway conditions.

30 § 3362. Maximum speed limits.

1 (a) General rule.--Except when a special hazard exists that  
2 requires lower speed for compliance with section 3361 (relating  
3 to driving vehicle at safe speed), the limits specified in this  
4 subsection or established under this subchapter shall be maximum  
5 lawful speeds and no person shall drive a vehicle at a speed in  
6 excess of the following maximum limits:

7 (1) 35 miles per hour in any urban district.

8 (2) 55 miles per hour in other locations.

9 (3) Any other maximum speed limit established under this  
10 subchapter.

11 (b) Penalty.--Any person violating this section is guilty of  
12 a summary offense and shall, upon conviction, be sentenced to  
13 pay a fine of \$35. Any person exceeding the maximum speed limit  
14 by more than five miles per hour shall pay an additional fine of  
15 \$2 per mile for each mile in excess of five miles per hour in  
16 excess of the maximum speed limit.

17 § 3363. Alteration of maximum limits by department.

18 Whenever the department determines upon the basis of an  
19 engineering and traffic investigation that any maximum speed  
20 specified in this subchapter is greater or less than is  
21 reasonable or safe under the conditions found to exist at any  
22 intersection or other place or upon any State-designated  
23 highway, the department may determine and declare a reasonable  
24 and safe maximum limit which shall be effective when appropriate  
25 signs giving notice of the maximum limit are erected. The  
26 maximum speed limit may be declared to be effective at all times  
27 or at such times as are indicated upon the signs. Differing  
28 limits may be established for different times of day, different  
29 types of vehicles, varying weather conditions and other factors  
30 bearing on safe speeds, which shall be effective when posted

1 upon appropriate fixed or variable signs. No maximum speed  
2 greater than 55 miles per hour shall be established under this  
3 section.

4 § 3364. Alteration of maximum limits by local authorities.

5 Whenever a local authority determines on the basis of an  
6 engineering and traffic investigation that the maximum speed  
7 permitted under this subchapter is greater or less than is  
8 reasonable and safe under the conditions found to exist upon a  
9 highway or part of a highway under its jurisdiction, the local  
10 authority may determine and declare a reasonable and safe  
11 maximum limit. Any altered limit established under this section  
12 shall be effective at all times or during hours of darkness or  
13 at other times as may be determined when appropriate signs  
14 giving notice of the maximum limit are erected upon the highway.  
15 No maximum speed greater than 55 miles per hour shall be  
16 established under this section.

17 § 3365. Minimum speed regulation.

18 (a) Impeding movement of traffic prohibited.--Except when  
19 reduced speed is necessary for safe operation or in compliance  
20 with law, no person shall drive a motor vehicle at such a slow  
21 speed as to impede the normal and reasonable movement of  
22 traffic.

23 (b) Slow moving vehicle to drive off roadway.--Except when  
24 reduced speed is necessary for safe operation or in compliance  
25 with law, whenever any person drives a motor vehicle or animal-  
26 drawn vehicle upon a roadway having width for not more than one  
27 lane of traffic in each direction at less than the maximum  
28 posted speed and at such a slow speed as to impede the normal  
29 and reasonable movement of traffic, the driver shall, at the  
30 first opportunity when and where it is reasonable and safe to do

1 so and after giving appropriate signal, drive completely off the  
2 roadway and onto the berm or shoulder of the highway. The driver  
3 may return to the roadway after giving appropriate signal only  
4 when the movement can be made in safety and so as not to impede  
5 the normal and reasonable movement of traffic.

6 (c) Establishment of minimum speed limits.--At any other  
7 time when the department or local authorities under their  
8 respective jurisdictions determine on the basis of an  
9 engineering and traffic investigation that slow speeds on any  
10 highway or part of a highway impede the normal and reasonable  
11 movement of traffic, the department or such local authority may  
12 determine and declare a minimum speed limit below which no  
13 person shall drive a vehicle except when necessary for safe  
14 operation or in compliance with law. The minimum limit shall be  
15 effective when posted upon appropriate fixed or variable signs.  
16 § 3366. Special speed limitations.

17 (a) Bridges and elevated structures.--

18 (1) No person shall drive a vehicle over any bridge or  
19 other elevated structure constituting a part of a highway at  
20 a speed which is greater than the maximum speed which can be  
21 maintained with safety to the bridge or structure when the  
22 structure is posted with signs as provided in this  
23 subsection.

24 (2) The department and local authorities on highways  
25 under their respective jurisdictions may conduct a traffic  
26 and engineering investigation of any bridge or other elevated  
27 structure constituting a part of a highway, and if it shall  
28 thereupon find that the structure cannot safely withstand  
29 vehicles traveling at the speed otherwise permissible under  
30 this title, the department or local authority shall determine

1 and declare the maximum speed of vehicles which the structure  
2 can safely withstand, and shall cause or permit suitable  
3 signs stating the maximum speed to be erected and maintained  
4 before each end of the structure.

5 (3) Upon the trial of any person charged with a  
6 violation of this subsection, proof of the determination of  
7 the maximum speed by the department and the existence of the  
8 signs shall constitute conclusive evidence of the maximum  
9 speed which can be maintained with safety to the bridge or  
10 structure.

11 (b) School zones.--When passing a school zone as defined and  
12 established under regulations of the department, no person shall  
13 drive a vehicle at a speed greater than that ~~established~~ <—  
14 APPROVED by the department for the particular school zone. A <—  
15 TRAFFIC-CONTROL DEVICE SHALL INDICATE THE BEGINNING OF EACH  
16 SCHOOL ZONE TO TRAFFIC APPROACHING IN EACH DIRECTION.

17 (c) Hazardous grades.--The department and local authorities  
18 on highways under their respective jurisdictions may conduct  
19 traffic and engineering investigations on grades which are  
20 considered hazardous. If the grade is determined to be  
21 hazardous, vehicles having a gross weight of 24,000 pounds or  
22 more may be further limited as to maximum speed and may be  
23 required to stop before proceeding downhill. The restrictions  
24 shall be indicated by official traffic-control devices erected  
25 and maintained according to regulations established by the  
26 department.

27 (d) Penalty.--Any person violating any provision of this  
28 section is guilty of a summary offense and shall, upon  
29 conviction, be sentenced to pay a fine of \$35. Any person  
30 exceeding a maximum speed limit established under this section

1 by more than five miles per hour shall pay an additional fine of  
2 \$2 per mile for each mile in excess of five miles per hour in  
3 excess of the maximum speed limit.

4 § 3367. Charging speed violations.

5 In every charge of violation of a speed provision in this  
6 subchapter, except for a violation of section 3361 (relating to  
7 driving vehicle at safe speed), the citation or complaint shall  
8 specify the speed at which the defendant is alleged to have  
9 driven and the applicable speed limit.

10 § 3368. Racing on highways.

11 (a) Definitions.--As used in this section the following  
12 words and phrases shall have the meanings given to them in this  
13 subsection:

14 "Drag race." The operation of two or more vehicles from a  
15 point side by side at accelerating speeds in a competitive  
16 attempt to outdistance each other, or the operation of one or  
17 more vehicles over a common selected course, from the same point  
18 to the same point, for the purpose of comparing the relative  
19 speeds or power of acceleration of the vehicle or vehicles  
20 within a certain distance or time limit.

21 "Race." The use of one or more vehicles in an attempt to  
22 outgain, outdistance or prevent another vehicle from passing, to  
23 arrive at a given destination ahead of another vehicle or  
24 vehicles, or to test the physical stamina or endurance of  
25 drivers over long distance driving routes.

26 (b) General rule.--No person shall drive a vehicle on a  
27 highway in any race, speed competition or contest, drag race or  
28 acceleration contest, test of physical endurance, exhibition of  
29 speed or acceleration, or for the purpose of making a speed  
30 record, and no person shall in any manner participate in any

1 such race, competition, contest, test or exhibition.

2 (c) Permits for special activities.--The department or local  
3 authorities within their jurisdiction may issue permits for  
4 special activities which would otherwise be prohibited by this  
5 section.

6 (d) Penalty.--Any person violating this section is guilty of  
7 a misdemeanor of the third degree and shall, upon conviction, be  
8 sentenced in accordance with section 6503 (relating to penalties  
9 for misdemeanors).

10 § 3369. Speed timing devices.

11 (a) Speedometers authorized.--The rate of speed of any  
12 vehicle may be timed on any highway by a police officer using a  
13 motor vehicle equipped with a speedometer. In ascertaining the  
14 speed of a vehicle by the use of a speedometer, the speed shall  
15 be timed for a distance of not less than three-tenths of a mile.

16 (b) Testing of speedometers.--The department may appoint  
17 stations for testing speedometers and may prescribe regulations  
18 as to the manner in which the test shall be made. Speedometers  
19 shall have been tested for accuracy within a period of 90 days  
20 prior to the alleged violation. A certificate from the station  
21 showing that the test was made, the date of the test and the  
22 degree of accuracy of the speedometer shall be competent and  
23 prima facie evidence of those facts in every proceeding in which  
24 a violation of this title is charged.

25 (c) Mechanical or electrical devices authorized.--The rate  
26 of speed of any vehicle may be timed by the use of mechanical or  
27 electrical speed timing devices, ~~involving~~ INCLUDING radio-  
28 microwave devices (commonly referred to as electronic speed  
29 meters or radar), on any highway by officers of the Pennsylvania  
30 State Police. The rate of speed of any vehicle may be so timed

<—



1 by members of a police force having ten or more full-time  
2 officers on any highway within their jurisdiction, except that  
3 the timing may only be done on a limited-access or divided  
4 highway if it is patrolled by the police force under the terms  
5 of an agreement with the Pennsylvania State Police.

6 (d) Approval and testing of mechanical or electrical  
7 devices.--All mechanical or electrical devices shall be of a  
8 type approved by the department, which shall appoint stations  
9 for calibrating and testing the devices and may prescribe  
10 regulations as to the manner in which calibrations and tests  
11 shall be made. The devices shall have been tested for accuracy  
12 within a period of ~~90~~ 120 days prior to the alleged violation. A <—  
13 certificate from the station showing that the calibration and  
14 test were made within the required period, and that the device  
15 was accurate, shall be competent and prima facie evidence of  
16 those facts in every proceeding in which a violation of this  
17 title is charged.

18 (e) Police training for mechanical or electrical devices.--  
19 Police officers operating the mechanical or electrical devices  
20 shall be trained in the use of the devices in a uniform course  
21 of instruction prescribed by the Pennsylvania State Police.

## 22 CHAPTER 35

### 23 SPECIAL VEHICLES AND PEDESTRIANS

#### 24 Subchapter

##### 25 A. Operation of Bicycles

##### 26 B. Special Rules for Motorcycles

##### 27 C. Rights and Duties of Pedestrians

#### 28 SUBCHAPTER A

#### 29 OPERATION OF BICYCLES

##### 30 Sec.

1 3501. Applicability of traffic laws to bicycles.

2 3502. Penalty for violation of subchapter.

3 3503. Responsibility of parent or guardian.

4 3504. Riding on bicycles.

5 3505. Riding on roadways and bicycle paths.

6 3506. Articles carried by operator.

7 3507. Lamps and other equipment on bicycles.

8 3508. Bicycles on sidewalks and bicycle paths.

9 § 3501. Applicability of traffic laws to bicycles.

10 (a) General rule.--Every person riding a bicycle upon a  
11 roadway shall be granted all of the rights and shall be subject  
12 to all of the duties applicable to the driver of a vehicle by  
13 this title, except as to special provisions in this subchapter  
14 and except as to those provisions of this title which by their  
15 nature can have no application.

16 (b) Application of subchapter.--The provisions of this  
17 subchapter apply whenever a bicycle is operated upon any highway  
18 or upon any path set aside for the exclusive use of bicycles  
19 subject to the exceptions stated in subsection (a).

20 § 3502. Penalty for violation of subchapter.

21 Any person violating any provision of this subchapter is  
22 guilty of a summary offense and shall, upon conviction, be  
23 sentenced to pay a fine of \$10.

24 § 3503. Responsibility of parent or guardian.

25 The parent of any child and the guardian of any ward shall  
26 not authorize or knowingly permit the child or ward to violate  
27 any of the provisions of this title relating to the operation of  
28 bicycles.

29 § 3504. Riding on bicycles.

30 (a) Use of seat by operator.--A person propelling a bicycle

1 shall not ride other than upon or astride a permanent and  
2 regular seat attached to the bicycle.

3 (b) Number of riders.--No bicycle shall be used to carry  
4 more persons at one time than the number for which the bicycle  
5 is designed and equipped.

6 § 3505. Riding on roadways and bicycle paths.

7 (a) General rule.--Except as provided in subsection (b),  
8 every person operating a bicycle upon a roadway shall ride as  
9 near to the right side of the roadway as practicable, exercising  
10 due care when passing a standing vehicle or one proceeding in  
11 the same direction.

12 (b) One-way highways.--Any person operating a bicycle upon a  
13 roadway of a highway, which highway carries traffic in one  
14 direction only and has two or more marked traffic lanes, may  
15 ride as near the left-hand curb or edge of the roadway as  
16 practicable, exercising due care when passing a standing vehicle  
17 or one proceeding in the same direction.

18 (c) Limitation on riding abreast.--Persons riding bicycles  
19 upon a roadway shall not ride more than two abreast except on  
20 paths or parts of roadways set aside for the exclusive use of  
21 bicycles.

22 (d) Use of available bicycle paths.--Whenever a lane or path  
23 for bicycles has been provided as part of a highway, bicycle  
24 riders shall use the lane or path and shall not use any other  
25 part of the highway. This subsection does not apply when use of  
26 the bicycle lane or path is not possible, safe or reasonable.

27 § 3506. Articles carried by operator.

28 No person operating a bicycle shall carry any package, bundle  
29 or article which prevents the driver from keeping at least one  
30 hand upon the handlebars.

1 § 3507. Lamps and other equipment on bicycles.

2 (a) Lamps and reflectors.--Every bicycle when in use between  
3 sunset and sunrise shall be equipped on the front with a lamp  
4 which emits a white light visible from a distance of at least  
5 500 feet to the front and with a red reflector on the rear of a  
6 type approved by the department which shall be visible from all  
7 distances from 100 feet to 600 feet to the rear and with an  
8 amber reflector on each side. A lamp emitting a red light  
9 visible from a distance of 500 feet to the rear may be used in  
10 addition to the red reflector. A lamp worn by the operator of a  
11 bicycle shall comply with the requirements of this subsection if  
12 the lamp can be seen at the distances specified. All lamps and  
13 reflectors shall be of a type approved by the department.

14 (b) Audible signal devices.--A bicycle may be equipped with  
15 a device capable of giving a signal audible for a distance of at  
16 least 100 feet except that a bicycle shall not be equipped with  
17 nor shall any person use upon a bicycle any siren.

18 (c) Brakes.--Every bicycle shall be equipped with a braking  
19 system which will stop the bicycle in 15 feet from an initial  
20 speed of 15 miles per hour on a dry, level and clean pavement.

21 § 3508. Bicycles on sidewalks and bicycle paths.

22 (a) Right-of-way to pedestrians.--A person riding a bicycle  
23 upon a sidewalk or bicycle path used by pedestrians shall yield  
24 the right-of-way to any pedestrian and shall give an audible  
25 signal before overtaking and passing a pedestrian.

26 (b) Business districts.--A person shall not ride a bicycle  
27 upon a sidewalk in a business district unless permitted by  
28 official traffic-control devices, nor when a usable bicycle-only  
29 lane has been provided adjacent to the sidewalk.

30 SUBCHAPTER B

SPECIAL RULES FOR MOTORCYCLES

Sec.

3521. Applicability of traffic laws to motorcycles.

3522. Riding on motorcycles.

3523. Operating motorcycles on roadways laned for traffic.

3524. Footrests and handlebars.

3525. Protective equipment for motorcycle riders.

§ 3521. Applicability of traffic laws to motorcycles.

Every person operating a motorcycle shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of any other vehicle under this title, except as to special provisions in this subchapter and except as to those provisions of this title which by their nature can have no application.

§ 3522. Riding on motorcycles.

(a) Use of seat by operator and passengers.--A person operating a motorcycle shall ride only upon the permanent and regular seat attached to the motorcycle, and the operator shall not carry any other person nor shall any other person ride on a motorcycle unless the motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the motorcycle at the rear or side of the operator. In no event shall a passenger sit in front of the operator of the motorcycle.

(b) Method of seating.--Unless in a sidecar, a person shall ride upon a motorcycle only while sitting astride the seat, facing forward, with one leg on each side of the motorcycle.

(c) Articles carried by operator.--No person shall operate a motorcycle while carrying any package, bundle or other article

1 which prevents him from keeping both hands on the handlebars.

2 (d) Interference with operation.--No operator shall carry  
3 any person, nor shall any person ride, in a position that will  
4 interfere with the operation or control of the motorcycle or the  
5 view of the operator.

6 § 3523. Operating motorcycles on roadways laned for traffic.

7 (a) Right to use of lane.--All motorcycles are entitled to  
8 full use of a lane and no motor vehicle shall be driven in such  
9 a manner as to deprive any motorcycle of the full use of a lane.

10 (b) Overtaking and passing.--The operator of a motorcycle  
11 shall not overtake and pass in the same lane occupied by the  
12 vehicle being overtaken.

13 (c) Operation between lanes or vehicles.--No person shall  
14 operate a motorcycle between lanes of traffic or between  
15 adjacent lines or rows of vehicles.

16 (d) Limitation on operating abreast.--Motorcycles shall not  
17 be operated more than two abreast in a single lane.

18 (e) Exception for police officers.--Subsections (b) and (c)  
19 do not apply to police officers in the performance of their  
20 official duties.

21 § 3524. Footrests and handlebars.

22 (a) Passengers.--Any motorcycle carrying a passenger, other  
23 than in a sidecar or enclosed cab, shall be equipped with  
24 footrests and handhold for the passenger.

25 (b) Height of handlebars.--No person shall operate any  
26 motorcycle with handlebars above shoulder-height of the operator  
27 while properly seated upon the motorcycle.

28 § 3525. Protective equipment for motorcycle riders.

29 (a) Protective headgear.--No person shall operate or ride  
30 upon a motorcycle OR A MOTOR-DRIVEN CYCLE (OTHER THAN A

<—

1   MOTORIZED BICYCLE) unless he is wearing protective headgear  
2   which complies with standards established by the department.

3       (b)   Eye-protective devices.--No person shall operate or ride  
4   upon a motorcycle unless he is wearing an eye-protective device  
5   of a type approved by the department.

6       (c)   Approval of equipment.--The department may approve or  
7   disapprove protective headgear and eye-protective devices  
8   required under this section and may issue and enforce  
9   regulations establishing standards and specifications for the  
10  approval of the headgear and devices. The department shall  
11  publish lists of all protective headgear and eye-protective  
12  devices by name and type which have been approved.

#### 13                                   SUBCHAPTER C

#### 14                                   RIGHTS AND DUTIES OF PEDESTRIANS

15  Sec.

16  3541.  Obedience of pedestrians to traffic-control devices and  
17       regulations.

18  3542.  Right-of-way of pedestrians in crosswalks.

19  3543.  Pedestrians crossing at other than crosswalks.

20  3544.  Pedestrians walking along or on highway.

21  3545.  Pedestrians soliciting rides or business.

22  3546.  Driving through or around safety zone.

23  3547.  Right-of-way of pedestrians on sidewalks.

24  3548.  Pedestrians to yield to authorized emergency vehicles.

25  3549.  Blind pedestrians.

26  3550.  Pedestrians under influence of alcohol or controlled  
27       substance.

28  3551.  Compliance with bridge and railroad warning signals.

29  3552.  Penalty for violation of subchapter.

30  § 3541.  Obedience of pedestrians to traffic-control devices and

1 regulations.

2 (a) Traffic-control devices.--A pedestrian shall obey the  
3 instructions of any official traffic-control device specifically  
4 applicable to the pedestrian unless otherwise directed by a  
5 police officer or other appropriately attired person authorized  
6 to direct, control or regulate traffic.

7 (b) Traffic and pedestrian-control signals.--Pedestrians  
8 shall be subject to traffic and pedestrian-control signals as  
9 provided in sections 3112 (relating to traffic-control signals)  
10 and 3113 (relating to pedestrian-control signals).

11 (c) Other privileges and restrictions.--At all other places,  
12 pedestrians shall be accorded the privileges and shall be  
13 subject to the restrictions stated in this subchapter.

14 § 3542. Right-of-way of pedestrians in crosswalks.

15 (a) General rule.--When traffic-control signals are not in  
16 place or not in operation, the driver of a vehicle shall yield  
17 the right-of-way to a pedestrian crossing the roadway within any  
18 marked crosswalk or within any unmarked crosswalk at an  
19 intersection.

20 (b) Exercise of care by pedestrian.--No pedestrian shall  
21 suddenly leave a curb or other place of safety and walk or run  
22 into the path of a vehicle which is so close as to constitute a  
23 hazard.

24 (c) Limitation on vehicles passing.--Whenever any vehicle is  
25 stopped at any crosswalk at an intersection or at any marked  
26 crosswalk to permit a pedestrian to cross the roadway, the  
27 driver of any other vehicle approaching from the rear shall not  
28 overtake and pass the stopped vehicle.

29 (d) Application of section.--Subsection (a) does not apply  
30 under the conditions stated in section 3543(b) (relating to



1 pedestrians crossing at other than crosswalks).

2 § 3543. Pedestrians crossing at other than crosswalks.

3 (a) General rule.--Every pedestrian crossing a roadway at  
4 any point other than within a crosswalk at an intersection or  
5 any marked crosswalk shall yield the right-of-way to all  
6 vehicles upon the roadway.

7 (b) At pedestrian tunnel or overhead crossing.--Any  
8 pedestrian crossing a roadway at a point where a pedestrian  
9 tunnel or overhead pedestrian crossing has been provided shall  
10 yield the right-of-way to all vehicles upon the roadway.

11 (c) Between controlled intersections in urban district.--  
12 Between adjacent intersections in urban districts at which  
13 traffic-control signals are in operation pedestrians shall not  
14 cross at any place except in a marked crosswalk.

15 (d) Crossing intersection diagonally.--No pedestrian shall  
16 cross a roadway intersection diagonally unless authorized by  
17 official traffic-control devices or at the direction of a police  
18 officer or other appropriately attired person authorized to  
19 direct, control or regulate traffic. When authorized to cross  
20 diagonally, pedestrians shall cross only in accordance with the  
21 signal pertaining to the crossing movements.

22 § 3544. Pedestrians walking along or on highway.

23 (a) Mandatory use of available sidewalk.--Where a sidewalk  
24 is provided and its use is practicable, it is unlawful for any  
25 pedestrian to walk along and upon an adjacent roadway.

26 (b) Absence of sidewalk.--Where a sidewalk is not available,  
27 any pedestrian walking along and upon a highway shall walk only  
28 on a shoulder as far as practicable from the edge of the  
29 roadway.

30 (c) Absence of sidewalk and shoulder.--Where neither a

1 sidewalk nor a shoulder is available, any pedestrian walking  
2 along and upon a highway shall walk as near as practicable to an  
3 outside edge of the roadway and, if on a two-way roadway, shall  
4 walk only on the left side of the roadway.

5 (d) Right-of-way to vehicles.--Except as otherwise provided  
6 in this subchapter, any pedestrian upon a roadway shall yield  
7 the right-of-way to all vehicles upon the roadway.

8 § 3545. Pedestrians soliciting rides or business.

9 No person shall:

10 (1) Stand on a roadway for the purpose of soliciting a  
11 ride.

12 (2) Stand on a roadway for the purpose of soliciting  
13 employment, business or contributions from the occupant of  
14 any vehicle.

15 (3) Stand on or in proximity to a highway for the  
16 purpose of soliciting the watching or guarding of any vehicle  
17 while parked or about to be parked on a street or highway.

18 § 3546. Driving through or around safety zone.

19 (a) Through zones.--No vehicle shall at any time be driven  
20 through or within a safety zone.

21 (b) Around zones.--Traffic may move on either side of a  
22 safety zone unless prohibited from driving to the left of the  
23 zone by the installation of an official traffic-control device  
24 as provided in this title.

25 § 3547. Right-of-way of pedestrians on sidewalks.

26 The driver of a vehicle emerging from or entering an alley,  
27 building, private road or driveway shall yield the right-of-way  
28 to any pedestrian approaching on any sidewalk extending across  
29 the alley, building entrance, road or driveway.

30 § 3548. Pedestrians to yield to authorized emergency vehicles.

1 (a) General rule.--Upon the immediate approach of an  
2 authorized emergency vehicle making use of audible and visual  
3 signals meeting the requirements of this title, or of a police  
4 vehicle properly and lawfully making use of an audible signal  
5 only, every pedestrian shall yield the right-of-way to the  
6 authorized emergency vehicle.

7 (b) Exercise of care by driver.--This section does not  
8 relieve the driver of an authorized emergency vehicle from the  
9 duty to drive with due regard for the safety of all persons  
10 using the highway nor from the duty to exercise due care to  
11 avoid colliding with any pedestrian.

12 § 3549. Blind pedestrians.

13 (a) General rule.--The driver of a vehicle shall yield the  
14 right-of-way to any totally or partially blind pedestrian  
15 carrying a clearly visible white cane or accompanied by a guide  
16 dog and shall take such precautions as may be necessary to avoid  
17 injuring or endangering the pedestrian and, if necessary, shall  
18 stop the vehicle in order to prevent injury or danger to the  
19 pedestrian.

20 (b) Effect of absence of cane or dog.--This section shall  
21 not be construed to deprive a totally or partially blind  
22 pedestrian not carrying a cane or not being guided by a dog of  
23 the rights and privileges conferred by law upon pedestrians  
24 crossing streets or highways, nor shall the failure of a totally  
25 or partially blind pedestrian to carry a cane or to be guided by  
26 a guide dog upon the streets, highways or sidewalks of this  
27 Commonwealth be held to constitute contributory negligence in  
28 and of itself.

29 § 3550. Pedestrians under influence of alcohol or controlled  
30 substance.

1 A pedestrian who is under the influence of alcohol or any  
2 controlled substance to a degree which renders the pedestrian a  
3 hazard shall not walk or be upon a highway except on a sidewalk.

4 § 3551. Compliance with bridge and railroad warning signals.

5 (a) Bridges.--No pedestrian shall enter or remain upon any  
6 bridge or approach to any bridge beyond the bridge signal, gate  
7 or barrier after a bridge operation signal indication has been  
8 given.

9 (b) Railroad crossings.--No pedestrian shall pass through,  
10 around, over or under any crossing gate or barrier at a railroad  
11 grade crossing or bridge while the gate or barrier is closed or  
12 is being opened or closed.

13 § 3552. Penalty for violation of subchapter.

14 Any pedestrian violating any provision of this subchapter is  
15 guilty of a summary offense and shall, upon conviction, be  
16 sentenced to pay a fine of \$5.

17 CHAPTER 37

18 MISCELLANEOUS PROVISIONS

19 ~~SUBCHAPTER A~~ <—

20 ~~OFFENSES IN GENERAL~~

21 Subchapter

22 A. Offenses in General

23 B. Serious Traffic Offenses

24 C. Accidents and Accident Reports

25 SUBCHAPTER A

26 ~~MISCELLANEOUS~~ OFFENSES IN GENERAL <—

27 Sec.

28 3701. Unattended motor vehicle.

29 3702. Limitations on backing.

30 3703. Driving upon sidewalk.

1 3704. Obstruction to driving view or mechanism.

2 3705. Opening AND CLOSING vehicle doors ~~on traffic side~~. <—

3 3706. Riding in house trailers or boats on trailers.

4 3707. Driving or stopping close to fire apparatus.

5 3708. Unauthorized driving over fire hose.

6 3709. Depositing waste and other material on highway.

7 3710. Stopping at intersection or crossing to prevent

8 obstruction.

9 3711. Careless driving.

10 3712. Unauthorized persons and devices hanging on vehicles.

11 3713. Abandonment and stripping of vehicles.

12 3714. RAILROAD TRAINS NOT TO BLOCK CROSSINGS. <—

13 § 3701. Unattended motor vehicle.

14 (a) General rule.--No person driving or in charge of a motor

15 vehicle shall permit the vehicle to stand unattended without

16 placing the gear shift lever in a position which under the

17 circumstances impedes the movement of the vehicle, stopping the

18 engine, locking the ignition, removing the key from the ignition

19 and, when standing upon any grade, turning the front wheels to

20 the curb or side of the highway and effectively setting the

21 brake.

22 (b) Penalty.--Any person violating this section is guilty of

23 a summary offense and shall, upon conviction, be sentenced to

24 pay a fine of \$5.

25 § 3702. Limitations on backing.

26 (a) General rule.--No driver shall back a vehicle unless the

27 movement can be made with safety and without interfering with

28 other traffic and then only after yielding the right-of-way to

29 moving traffic and pedestrians.

30 (b) Limited-access highways.--No driver shall back a vehicle

1 upon any shoulder or roadway of any limited-access highway.

2 § 3703. Driving upon sidewalk.

3 No person shall drive any vehicle upon a sidewalk or sidewalk  
4 area except upon a permanent or duly authorized temporary  
5 driveway.

6 § 3704. Obstruction to driving view or mechanism.

7 No person shall drive a vehicle when it is so loaded, or when  
8 there are in the front seat such a number of persons, exceeding  
9 three, as to obstruct the view of the driver to the front or  
10 sides of the vehicle or as to interfere with the driver's  
11 control over the driving mechanism of the vehicle or whenever  
12 any person in the front seat is not seated.

13 ~~§ 3705. Opening vehicle doors on traffic side.~~ <—

14 ~~No person shall open the door of a motor vehicle on the side~~  
15 ~~available to moving traffic unless and until it is reasonably~~  
16 ~~safe to do so and can be done without hindering the movement of~~  
17 ~~other traffic, and no person shall leave a door open on the side~~  
18 ~~of a vehicle available to moving traffic for a period of time~~  
19 ~~longer than necessary to load or unload passengers or property.~~

20 § 3705. OPENING AND CLOSING VEHICLE DOORS. <—

21 NO PERSON SHALL OPEN ANY DOOR ON A MOTOR VEHICLE UNLESS AND  
22 UNTIL IT IS REASONABLY SAFE TO DO SO AND CAN BE DONE WITHOUT  
23 INTERFERING WITH THE MOVEMENT OF OTHER TRAFFIC, NOR SHALL ANY  
24 PERSON LEAVE A DOOR OPEN ON A SIDE OF A VEHICLE AVAILABLE TO  
25 MOVING TRAFFIC FOR A PERIOD OF TIME LONGER THAN NECESSARY TO  
26 LOAD OR UNLOAD PASSENGERS.

27 § 3706. Riding in house trailers or boats on trailers.

28 (a) General rule.--No person or persons shall occupy a house  
29 trailer or boat on a trailer while it is being moved upon a  
30 highway.

1 (b) Towing prohibited.--No person shall tow on a highway a  
2 house trailer or boat on a trailer occupied by a passenger or  
3 passengers.

4 § 3707. Driving or stopping close to fire apparatus.

5 The driver of any vehicle other than one on official business  
6 shall not follow any fire apparatus traveling in response to a  
7 fire alarm closer than 500 feet or stop the vehicle within 500  
8 feet of any fire apparatus stopped in answer to a fire alarm.

9 § 3708. Unauthorized driving over fire hose.

10 No vehicle shall be driven over any unprotected hose of a  
11 fire department when laid down on any highway, private road or  
12 driveway, for use at any fire or alarm of fire, without the  
13 consent of a fire department officer, a police officer or other  
14 appropriately attired person authorized to direct, control or  
15 regulate traffic at the scene.

16 § 3709. Depositing waste and other material on highway.

17 (a) General rule.--No person shall throw or deposit upon any  
18 highway any waste paper, sweepings, ashes, household waste,  
19 glass, metal, refuse or rubbish, or any dangerous or detrimental  
20 substance.

21 (b) Removal of deposited material.--Any person who drops, or  
22 permits to be dropped or thrown, upon any highway any waste  
23 paper, sweepings, ashes, household waste, glass, metal, refuse  
24 or rubbish, or any dangerous or detrimental substance shall  
25 immediately remove the same or cause it to be removed.

26 (c) Removal of material following accident.--Any person  
27 removing a wrecked, damaged or disabled vehicle from a highway  
28 shall remove from the highway or neutralize any glass, oil or  
29 other injurious substance resulting from the accident or  
30 disablement.

1 (d) Penalty.--Any person violating any of the provisions of  
2 subsection (a) or (b) is guilty of a summary offense and shall,  
3 upon conviction, be sentenced to pay a fine of not more than  
4 \$300.

5 § 3710. Stopping at intersection or crossing to prevent  
6 obstruction.

7 No driver shall enter an intersection or a crosswalk or drive  
8 onto any railroad grade crossing unless there is sufficient  
9 space on the other side of the intersection, crosswalk or  
10 railroad grade crossing to accommodate the vehicle operated  
11 without obstructing the passage of other vehicles, pedestrians  
12 or railroad trains notwithstanding any traffic-control signal  
13 indication to proceed.

14 § 3711. Careless driving.

15 Any person who drives a vehicle carelessly or without due  
16 caution and circumspection in a manner so as to endanger a  
17 person or property is guilty of careless driving. This section  
18 shall apply throughout this Commonwealth as well as upon  
19 highways.

20 § 3712. Unauthorized persons and devices hanging on vehicles.

21 (a) General rule.--No person shall hang onto or ride on the  
22 outside or the rear end of any vehicle and no person on a  
23 bicycle, motorcycle, roller skates, sled or any similar device,  
24 shall hold fast to or attach the device to any moving vehicle or  
25 streetcar, and no operator of a vehicle or streetcar shall  
26 knowingly permit any person to hang onto or ride on the outside  
27 or rear end of the vehicle or streetcar operated, or allow any  
28 person on a bicycle, motorcycle, roller skates, sled or any  
29 similar device to hold fast or attach the device to the vehicle  
30 or streetcar operated on any highway.



1 (b) Exceptions.--This section is not applicable to firemen  
2 or garbage collectors or operators of fire trucks or garbage  
3 trucks acting pursuant to and during the course of their duties.  
4 § 3713. Abandonment and stripping of vehicles.

5 (a) Abandonment on highway.--No person shall abandon a  
6 vehicle upon any highway.

7 (b) Abandonment on public or private property.--No person  
8 shall abandon a vehicle upon any public or private property  
9 without the express or implied consent of the owner or person in  
10 lawful possession or control of the property.

11 (c) Stripping abandoned vehicle.--It is unlawful for any  
12 person, except the owner or his agent or as otherwise provided  
13 in this title, to remove any part of an abandoned vehicle.

14 (d) ~~Penalty~~ PENALTIES.--Any person violating subsection (a) <—  
15 or (b) is guilty of a summary offense and shall, upon  
16 conviction, be sentenced to pay a fine of \$50 PLUS ALL COSTS OF <—  
17 DISPOSING OF THE VEHICLE UNDER THE PROVISIONS OF CHAPTER 73  
18 (RELATING TO ABANDONED VEHICLES AND CARGOS). Any person  
19 violating subsection (c) is guilty of a misdemeanor of the third  
20 degree and shall, upon conviction, be sentenced in accordance  
21 with section 6503 (relating to penalties for misdemeanors).

22 § 3714. RAILROAD TRAINS NOT TO BLOCK CROSSINGS. <—

23 NO PERSON OR GOVERNMENT AGENCY SHALL OPERATE ANY TRAIN IN  
24 SUCH A MANNER AS TO PREVENT VEHICULAR USE OF ANY ROADWAY FOR A  
25 PERIOD OF TIME IN EXCESS OF FIVE CONSECUTIVE MINUTES EXCEPT  
26 UNDER ANY OF THE FOLLOWING CIRCUMSTANCES:

27 (1) WHEN NECESSARY TO COMPLY WITH SIGNALS AFFECTING THE  
28 SAFETY OF THE MOVEMENT OF TRAINS.

29 (2) WHEN NECESSARY TO AVOID STRIKING ANY OBJECT OR  
30 PERSON ON THE TRACK.

1           (3) WHEN THE TRAIN IS DISABLED.

2           (4) WHEN THE TRAIN IS IN MOTION EXCEPT WHILE ENGAGED IN  
3 SWITCHING OPERATIONS.

4           (5) WHEN THERE IS NO VEHICULAR TRAFFIC WAITING TO USE  
5 THE CROSSINGS.

6           (6) WHEN NECESSARY TO COMPLY WITH A GOVERNMENTAL SAFETY  
7 REGULATION.

8                               SUBCHAPTER B

9                               SERIOUS TRAFFIC OFFENSES

10 Sec.

11 3731. Reckless driving.

12 3732. Driving under influence of alcohol or controlled  
13 substance.

14 3733. Homicide by vehicle.

15 3734. Fleeing or attempting to elude police officer.

16 3735. Driving without lights to avoid identification or arrest.

17 § 3731. Reckless driving.

18 Any person who drives a vehicle in wilful or wanton disregard  
19 for the safety of persons or property is guilty of reckless  
20 driving, a misdemeanor of the third degree, and shall, upon  
21 conviction, be sentenced in accordance with section 6503  
22 (relating to penalties for misdemeanors).

23 § 3732. Driving under influence of alcohol or controlled  
24 substance.

25 (a) Offense defined.--A person shall not drive any vehicle  
26 while:

27 (1) there is 0.10% or more by weight of alcohol in his  
28 blood;

29 (2) under the influence of alcohol TO A DEGREE WHICH  
30 RENDERS HIM INCAPABLE OF SAFE DRIVING;

<—

1           (3) under the influence of any controlled substance, as  
2 defined in the act of April 14, 1972 (P.L.233, No.64), known  
3 as "The Controlled Substance, Drug, Device and Cosmetic Act,"  
4 to a degree which renders him incapable of safe driving; or

5           (4) under the combined influence of alcohol and a  
6 controlled substance to a degree which renders him incapable  
7 of safe driving.

8       (b) Authorized use not a defense.--The fact that any person  
9 charged with violating this section is or has been legally  
10 entitled to use alcohol or controlled substances is not a  
11 defense to any charge of violating this section.

12       (c) Penalty.--Any person violating any of the provisions of  
13 this section is guilty of a misdemeanor of the third degree and  
14 shall, upon conviction, be sentenced in accordance with section  
15 6503 (relating to penalties for misdemeanors).

16 § 3733. Homicide by vehicle.

17 Any person who unintentionally causes the death of another  
18 person while engaged in the violation of any law of this  
19 Commonwealth or municipal ordinance applying to the operation or  
20 use of a vehicle or to the regulation of traffic is guilty of  
21 homicide by vehicle, a misdemeanor of the first degree, when the  
22 violation is the cause of death.

23 § 3734. Fleeing or attempting to elude police officer.

24       (a) Offense defined.--Any driver of a motor vehicle who  
25 wilfully fails or refuses to bring his vehicle to a stop, or who  
26 otherwise flees or attempts to elude a pursuing police vehicle,  
27 when given visual or audible signal to bring the vehicle to a  
28 stop, is guilty of a misdemeanor of the third degree and shall,  
29 upon conviction, be sentenced in accordance with section 6503  
30 (relating to penalties for misdemeanors).

(b) Signal by police officer.--The signal given by the police officer may be by hand, voice, emergency lights or siren.

§ 3735. Driving without lights to avoid identification or arrest.

Any person who drives without lights or turns off any or all the lights on a motor vehicle for the purpose of avoiding identification or arrest is guilty of a misdemeanor of the third degree and shall, upon conviction, be sentenced in accordance with section 6503 (relating to penalties for misdemeanors).

#### SUBCHAPTER C

#### ACCIDENTS AND ACCIDENT REPORTS

Sec.

3741. Application of subchapter.

3742. Accidents involving death or personal injury.

3743. Accidents involving damage to attended vehicle or property.

3744. Duty to give information and render aid.

3745. Accidents involving damage to unattended vehicle or property.

3746. Immediate notice of accident to police department.

3747. Written report of accident by driver or owner.

3748. False reports.

3749. Reports by coroners and medical examiners.

3750. Reports by garages.

3751. Reports by police.

3752. Accident report forms.

3753. Department to tabulate and analyze accident reports.

§ 3741. Application of subchapter.

The provisions of this subchapter shall apply upon highways and elsewhere throughout this Commonwealth.

1 § 3742. Accidents involving death or personal injury.

2 (a) General rule.--The driver of any vehicle involved in an  
3 accident resulting in injury or death of any person shall  
4 immediately stop the vehicle at the scene of the accident or as  
5 close thereto as possible but shall then forthwith return to and  
6 in every event shall remain at the scene of the accident until  
7 he has fulfilled the requirements of section 3744 (relating to  
8 duty to give information and render aid). Every stop shall be  
9 made without obstructing traffic more than is necessary.

10 (b) Penalty.--Any person violating this section is guilty of  
11 a misdemeanor of the third degree and shall, upon conviction, be  
12 sentenced to imprisonment for not more than one year or to pay a  
13 fine of not less than \$200 nor more than \$1,000, or both.

14 § 3743. Accidents involving damage to attended vehicle  
15 or property.

16 (a) General rule.--The driver of any vehicle involved in an  
17 accident resulting only in damage to a vehicle or other property  
18 which is driven or attended by any person shall immediately stop  
19 the vehicle at the scene of the accident or as close thereto as  
20 possible but shall forthwith return to and in every event shall  
21 remain at the scene of the accident until he has fulfilled the  
22 requirements of section 3744 (relating to duty to give  
23 information and render aid). Every stop shall be made without  
24 obstructing traffic more than is necessary.

25 (b) Penalty.--Any person violating this section is guilty of  
26 a misdemeanor of the third degree and shall, upon conviction, be  
27 sentenced to pay a fine of not less than \$100 nor more than  
28 \$500.

29 § 3744. Duty to give information and render aid.

30 (a) General rule.--The driver of any vehicle involved in an

1 accident resulting in injury to or death of any person or damage  
2 to any vehicle or other property which is driven or attended by  
3 any person shall give his name, address and the registration  
4 number of the vehicle he is driving, and shall upon request  
5 exhibit his driver's license and ~~certificate~~ PROOF of insurance <—  
6 to any person injured in the accident or to the driver or  
7 occupant of or person attending any vehicle or other property  
8 damaged in the accident and shall give the information and upon  
9 request exhibit the license AND PROOF OF INSURANCE to any police <—  
10 officer at the scene of the accident or who is investigating the  
11 accident and shall render to any person injured in the accident  
12 reasonable assistance, including the making of arrangements for  
13 the carrying of the injured person to a physician, surgeon or  
14 hospital for medical or surgical treatment if it is apparent  
15 that treatment is necessary or if requested by the injured  
16 person.

17 (b) Report of accident to police.--In the event that none of  
18 the persons specified are in condition to receive the  
19 information to which they otherwise would be entitled under  
20 subsection (a) and no police officer is present, the driver of  
21 any vehicle involved in the accident after fulfilling all other  
22 requirements of section 3742 (relating to accidents involving  
23 death or personal injury) and subsection (a), in so far as  
24 possible on his part to be performed, shall forthwith report the  
25 accident to the nearest office of a duly authorized police  
26 department and submit to the police department the information  
27 specified in subsection (a).

28 (c) Duty of occupants if driver disabled.--Whenever the  
29 driver of a vehicle is physically unable to give the information  
30 or assistance required in this section and there are other

1 occupants in the vehicle at the time of the accident who are  
2 physically able to give the information or assistance required  
3 in this section, each of the other occupants shall fully reveal  
4 the identity of himself and the identity of the driver of the  
5 vehicle and of the owner of the vehicle of which they are  
6 occupants and shall otherwise perform the duties of the driver  
7 as set forth in subsection (a).

8 § 3745. Accidents involving damage to unattended vehicle or  
9 property.

10 The driver of any vehicle which collides with or is involved  
11 in an accident with any vehicle or other property which is  
12 unattended resulting in any damage to the other vehicle or  
13 property shall immediately stop the vehicle at the scene of the  
14 accident or as close thereto as possible and shall then and  
15 there either locate and notify the operator or owner of the  
16 damaged vehicle or other property of his name, address,  
17 information relating to the certificate of insurance and the  
18 registration number of the vehicle being driven or shall attach  
19 securely in a conspicuous place in or on the damaged vehicle or  
20 other property a written notice giving his name, address,  
21 information relating to the certificate of insurance and the  
22 registration number of the vehicle being driven and shall  
23 without unnecessary delay notify the nearest office of a duly  
24 authorized police department. Every stop shall be made without  
25 obstructing traffic more than is necessary.

26 § 3746. Immediate notice of accident to police department.

27 (a) General rule.--The driver of a vehicle involved in an  
28 accident shall immediately by the quickest means of  
29 communication give notice to the nearest office of a duly  
30 authorized police department if the accident involves:

1 (1) injury to or death of any person; or

2 (2) damage to the property of any one person to the  
3 apparent extent of \$200 or more and such that any vehicle  
4 involved cannot be driven under its own power in its  
5 customary manner without further damage or hazard to the  
6 vehicle, other traffic elements, or the roadway, and  
7 therefore requires towing.

8 (b) Duty of occupant when driver disabled.--Whenever the  
9 driver of a vehicle is physically incapable of giving an  
10 immediate notice of an accident as required in subsection (a)  
11 and there is another occupant in the vehicle at the time of the  
12 accident capable of doing so, the occupant shall make or cause  
13 to be given the notice not given by the driver.

14 (c) Investigation by police officer.--Every accident  
15 reported to a police department required in this section shall  
16 be investigated by a police officer who shall provide each  
17 driver a signed statement that the accident was reported.

18 § 3747. Written report of accident by driver or owner.

19 (a) General rule.--Unless an accident is investigated by a  
20 police officer in accordance with section 3746 (relating to  
21 immediate notice of accident to police department), the driver  
22 of a vehicle which is in any manner involved in an accident  
23 resulting in bodily injury to or death of any person or damage  
24 to the property of any one person to an apparent extent of \$200  
25 or more shall, within five days of the accident, forward a  
26 written report of the accident to the department.

27 (b) Supplemental reports.--The department may require any  
28 driver of a vehicle involved in an accident of which written  
29 report must be made as provided in this section to file  
30 supplemental written reports whenever the original report is



1 insufficient in the opinion of the department.

2 (c) Exception for disabled persons.--A written accident  
3 report is not required under this subchapter from any person who  
4 is physically incapable of making a report during the period of  
5 incapacity.

6 (d) Duty of owner if driver disabled.--Whenever the driver  
7 is physically incapable of making a written report of an  
8 accident as required in this section and the driver is not the  
9 owner of the vehicle, then the owner of the vehicle involved in  
10 the accident shall, within five days after the accident, make  
11 the report not made by the driver.

12 (e) Confidentiality of reports.--All written reports  
13 required in this section to be forwarded to the department by  
14 drivers or owners of vehicles involved in accidents shall be  
15 without prejudice to the individual so reporting and shall be  
16 for the confidential use of the department or any other  
17 Commonwealth agency having use for the records for accident  
18 prevention purposes, except that the department ~~may~~ SHALL <—  
19 disclose the identity of a person involved in an accident when  
20 the identity is not otherwise known or when the person denies  
21 his presence at the accident AND SHALL DISCLOSE WHETHER ANY <—  
22 PERSON OR VEHICLE WAS COVERED BY A VEHICLE INSURANCE POLICY AND  
23 THE NAME OF THE INSURER.

24 (f) Use of reports as evidence.--No accident reports  
25 forwarded under the provisions of this section shall be used as  
26 evidence in any trial, civil or criminal, arising out of an  
27 accident except that the department shall furnish upon demand of  
28 any party to the trial, or upon demand of any court, a  
29 certificate showing that a specified accident report has or has  
30 not been made to the department in compliance with the law and,

1 if the report has been made, the date, time and location of the  
2 accident, the names and addresses of the drivers, the owners of  
3 the vehicles involved and the investigating officers. The  
4 reports may be used as evidence when necessary to prosecute  
5 charges filed in connection with a violation of section 3748  
6 (relating to false reports).

7 (g) Compliance with other laws required.--This section does  
8 not affect the duty of filing accident reports required by any  
9 other statute or regulations made thereunder.

10 § 3748. False reports.

11 Any person who gives information in oral or written reports  
12 required by this subchapter knowing or having reason to believe  
13 that the information is false is guilty of a misdemeanor of the  
14 third degree and shall, upon conviction, be sentenced in  
15 accordance with section 6503 (relating to penalties for  
16 misdemeanors).

17 § 3749. Reports by coroners and medical examiners.

18 (a) General rule.--Every coroner or medical examiner in this  
19 Commonwealth shall, on or before the tenth day of each month,  
20 report in writing to the department the death of any person  
21 resulting from a vehicle accident, giving the time and place of  
22 accident and the circumstances relating thereto. These reports  
23 shall be made on forms prepared by the department. Every coroner  
24 or medical examiner shall retain a copy of the reports in his  
25 office for a period of two years.

26 (b) Blood and urine samples.--The coroners or medical  
27 examiners of each county in this Commonwealth shall take blood  
28 or urine samples or both from the bodies of all drivers and of  
29 all pedestrians over ~~16~~ 15 years of age who die within four  
30 hours following an accident and shall, within ten days of the

<—

1 accident, transmit the samples to the Governor's Council on Drug  
2 and Alcohol Abuse. This subsection shall be applicable to all  
3 occupants over ~~16~~ 15 years of age if the driver of the vehicle <—  
4 cannot be determined.

5 (c) Regulations for testing samples.--The Governor's Council  
6 on Drug and Alcohol Abuse shall establish and promulgate rules  
7 and regulations for the testing of the blood and urine samples  
8 authorized to be taken from dead bodies under this section.

9 § 3750. Reports by garages.

10 The person in charge of any garage or repair shop to which is  
11 brought a vehicle which shows evidence of having been struck by  
12 any bullet shall report to the nearest office of a duly  
13 authorized police department within 24 hours after the vehicle  
14 is received by the garage or repair shop, giving the year, make  
15 and model name of the vehicle, the vehicle identification  
16 number, the registration plate number and address of the owner  
17 or driver of the vehicle.

18 § 3751. Reports by police.

19 (a) General rule.--Every police department that investigates  
20 a vehicle accident for which a report must be made as required  
21 in this subchapter, or otherwise prepares a written report as a  
22 result of an investigation either at the time of and at the  
23 scene of the accident or thereafter by interviewing the  
24 participants or witnesses, shall forward a written report of the  
25 accident to the department within five days after the  
26 investigation of the accident.

27 (b) Furnishing copies of report.--Police departments shall,  
28 upon request, furnish at a cost not to exceed \$5 a certified  
29 copy of its full report of its investigation of any vehicle  
30 accident to any person involved in the accident, his attorney or

1 insurer, and to the Federal Government, branches of the military  
2 service, Commonwealth agencies, and to officials of political  
3 subdivisions and to agencies of other states and nations and  
4 their political subdivisions. The copy of the report shall not  
5 be admissible as evidence in any action for damages or criminal  
6 proceedings arising out of a motor vehicle accident. Police  
7 departments may refuse to furnish the complete copy of  
8 investigation of the vehicle accident whenever there are  
9 criminal charges pending against any persons involved in the  
10 vehicle accident unless the Pennsylvania Rules of Criminal  
11 Procedure require the production of the documents.

12 § 3752. Accident report forms.

13 (a) Form and content.--The department shall prepare and upon  
14 request supply to all law enforcement agencies and other  
15 appropriate agencies or individuals, forms for written accident  
16 reports as required in this subchapter suitable with respect to  
17 the persons required to make the reports and the purposes to be  
18 served. The written report forms shall call for sufficiently  
19 detailed information to disclose with reference to a vehicle  
20 accident the cause, conditions then existing and the persons and  
21 vehicles involved. Reports for use by the drivers and owners  
22 shall also provide for information relating to financial  
23 responsibility.

24 (b) Use.--Every accident report required to be made in  
25 writing shall be made on the appropriate form approved by the  
26 department and shall contain all the information required  
27 therein unless not available.

28 § 3753. Department to tabulate and analyze accident reports.

29 (a) Central accident records agency.--The department shall  
30 establish a central accident records agency which shall be the

repository for all reportable traffic accidents as defined in this subchapter. The agency will have primary responsibility for the administration and supervision of storing, processing and providing the informational needs to all official agencies having responsibility in the highway transportation system.

(b) Central accident analysis system.--The department shall provide accident data for analysis in selecting accident prevention programs and in evaluating the effectiveness of those programs implemented. As a minimum, the system shall be capable of providing:

(1) An annual statistical summary of motor vehicle accidents including multi-dimensional distribution for such factors as type, time and location of accident, road and weather conditions, type of traffic control, and condition and actions of operators and type and condition of the vehicles.

(2) Identification of hazardous road locations.

(3) Information on which police duty assignment may be more effective in order to prevent accidents.

(4) Evaluation of speed regulations or other provisions of this title to aid the General Assembly in determining when changes are desirable.

(5) Statistical analyses of the relationship between non-accident traffic violations of operators and accident involvement. These analyses shall include such factors as the type, location, and severity of violations, the type, location, and severity of the accidents and the responsibility of the operators involved.

(6) An evaluation of legal or departmental actions as related to driver improvement and accident reduction.

(c) Highway safety statistics.--The department may compile such other statistics for such purposes as it might deem helpful in advancing highway safety.

#### PART IV

#### VEHICLE CHARACTERISTICS

#### Chapter

41. Equipment Standards

43. Lighting Equipment

45. Other Required Equipment

47. Inspection of Vehicles

49. Size, Weight and Load

#### CHAPTER 41

#### EQUIPMENT STANDARDS

#### Sec.

4101. Purpose of part.

4102. Definitions.

4103. Promulgation of vehicle equipment standards.

4104. Testing and approval of equipment.

4105. Revocation and renewal of certificates of approval.

4106. Market surveillance program.

4107. Unlawful activities.

4108. Injunctive relief.

§ 4101. Purpose of part.

The purpose of this chapter and Chapters 43 (relating to lighting equipment) and 45 (relating to other required equipment) is to establish minimum standards for vehicle equipment the performance of which is related to vehicle safety, noise control and air quality and to make unlawful the sale and use of items which do not comply with the requirements of this part or with the standards and regulations promulgated by the

1 department.

2 § 4102. Definitions.

3 The following words and phrases when used in this part shall  
4 have, unless the context clearly indicates otherwise, the  
5 meanings given to them in this section.

6 "Federal standard". A minimum standard of vehicle or vehicle  
7 equipment performance issued under the National Traffic and  
8 Motor Vehicle Safety Act (80 Stat. 718, 15 U.S.C.A. §1381), the  
9 Motor Vehicle Information and Cost Savings Act (86 Stat. 947, 15  
10 U.S.C.A. §1901) or the Clean Air Act (81 Stat. 485, 42 U.S.C.A.  
11 §1857).

12 "Vehicle equipment standard". A minimum standard for vehicle  
13 performance or vehicle equipment performance which meets the  
14 needs of vehicle safety, noise control or air quality control,  
15 which is practicable and which provides objective criteria.

16 § 4103. Promulgation of vehicle equipment standards.

17 (a) General rule.--The department shall promulgate vehicle  
18 equipment standards for vehicles, equipment and devices required  
19 under this part. To the maximum extent possible, consistent with  
20 safety, the standards shall be expressed in terms of minimum  
21 acceptable performance levels, measured against objective  
22 testing parameters.

23 (b) Applicability of Federal standards.--Federal standards  
24 promulgated with respect to the performance of any vehicle or  
25 item of equipment shall have the same force and effect as if  
26 promulgated by the department under subsection (a) and shall  
27 supersede any Commonwealth standard applicable to the same  
28 aspect of performance for the vehicle or item of equipment. The  
29 department may, by specific incorporation in regulations as  
30 provided in subsection (c), extend the application of any

1 Federal standard to any or all other vehicles or items of  
2 equipment sold, registered, used or operated within this  
3 Commonwealth upon demonstration of significant health or safety  
4 benefits to this Commonwealth.

5 (c) Incorporation of standards by reference.--Subject to the  
6 provisions of subsections (a) and (b), applicable standards or  
7 recommended practices issued by the National Highway Traffic  
8 Safety Administration, U.S. Department of Transportation, the  
9 Vehicle Equipment Safety Commission, the American National  
10 Standards Institute, the Society of Automotive Engineers or any  
11 other generally recognized standards setting body may be adopted  
12 by reference, provided that copies of the standards are  
13 incorporated in the notice of proposed rule making.

14 (D) APPLICABILITY TO CERTAIN VEHICLES.--VEHICLE EQUIPMENT <—  
15 STANDARDS CONTAINED IN THIS PART OR PROMULGATED BY THE  
16 DEPARTMENT UNDER THE AUTHORITY GIVEN IN THIS PART SHALL NOT  
17 APPLY TO AN ANTIQUE OR CLASSIC VEHICLE CONTAINING EQUIPMENT  
18 WHICH MEETS THE ORIGINAL MANUFACTURER'S SPECIFICATIONS.

19 § 4104. Testing and approval of equipment.

20 (a) Authority of department.--The department may require new  
21 vehicles and equipment to be tested and approved for compliance  
22 with the requirements of this part or any vehicle equipment  
23 standard adopted pursuant to section 4103(a) (relating to  
24 promulgation of vehicle equipment standards).

25 (b) Basis of approval.--Approvals may be based on  
26 certification furnished to the department by the American  
27 Association of Motor Vehicle Administrators, or if the American  
28 Association of Motor Vehicle Administrators certification  
29 program does not cover the type of vehicle or equipment, the  
30 department shall determine approval on test reports prepared by



1 such testing laboratories as the department may designate.

2 (c) Procedure for approval.--The department shall establish  
3 by regulation the procedure to be followed when request for  
4 approval of any item of equipment is submitted under this  
5 section. The department shall not unreasonably withhold  
6 designation of any laboratory which meets the minimum criteria  
7 established by the department as an approved laboratory for  
8 equipment testing. Where a regulated manufacturer has its own  
9 in-house testing facilities which meet the minimum criteria, the  
10 department may accept test reports from the manufacturer for the  
11 purpose of granting equipment approvals.

12 (d) Markings on approved equipment.--Each item of equipment  
13 requiring approval by the department shall bear the trademark,  
14 name or code symbol under which it is approved. If practicable,  
15 the markings shall be legible after installation. For the  
16 purposes of this subsection, code symbol means one assigned and  
17 approved by the department in the absence of a name or  
18 trademark.

19 (e) Lists of approved equipment.--The department shall  
20 maintain lists of all items of equipment which have been  
21 approved under authority of this part. Copies of the lists or  
22 portions of the lists shall be made available at cost upon  
23 request.

24 § 4105. Revocation and renewal of certificates of approval.

25 (a) Hearing to review approved devices.--When the department  
26 has reason to believe that an approved device being sold  
27 commercially does not comply with the requirements of this part,  
28 it may, after giving 30 days' notice to the person holding the  
29 certificate of approval for the device, conduct a hearing upon  
30 the question of compliance of the approved device. After the

1 hearing, the department shall determine whether the approved  
2 device meets the requirements of this part and shall notify the  
3 person holding the certificate of approval of the determination.

4 (b) Devices determined to be in violation.--If the  
5 department determines as a result of the hearing that the device  
6 does not meet the requirements of this part, the person holding  
7 the certificate of approval shall have a period of 90 days to  
8 resubmit a request for approval. In the event the device is  
9 determined to be hazardous, the department may take immediate  
10 action through injunctive relief pursuant to section 4108  
11 (relating to injunctive relief). If the person holding the  
12 certificate of approval fails to satisfy the department that the  
13 resubmitted device as thereafter to be sold meets the  
14 requirements of this part, the department shall revoke the  
15 approval issued unless the device is resubmitted to and retested  
16 by an authorized testing laboratory and is found to meet the  
17 requirements of this part. The department may require that all  
18 devices sold since the notification following the hearing be  
19 replaced with devices that do comply with the requirements of  
20 this part.

21 (c) Expiration of certificate.--Certificates of approval  
22 issued for items of equipment required to be approved under this  
23 part will not expire except as provided by regulation or until  
24 revoked by the department.

25 (d) Renewal of certificate.--Certificates of approval which  
26 expire pursuant to regulation shall be void after the period  
27 stated from the date of issue unless application is made for  
28 renewal of the certificates in accordance with the procedure  
29 established by the department, together with the applicable fee,  
30 and a new certificate of approval is issued.

1 (e) Promulgation of regulations.--The department shall  
2 promulgate rules and regulations to effectuate the provisions of  
3 this section.

4 § 4106. Market surveillance program.

5 (a) General rule.--The department shall maintain a  
6 continuing program of market surveillance to insure that any  
7 items of vehicle equipment offered for sale in this Commonwealth  
8 and for which approvals are required are in compliance with the  
9 law.

10 (b) Purchase and testing of samples.--The department may  
11 undertake at State expense random retail purchase and compliance  
12 testing of samples of equipment which is covered by a valid  
13 certificate of approval or which has been certified by its  
14 manufacturer as being in compliance with an applicable Federal  
15 motor vehicle safety standard. If the samples, upon testing,  
16 fail to meet the applicable performance requirements, the  
17 department may commence revocation proceedings pursuant to  
18 section 4105 (relating to revocation and renewal of certificates  
19 of approval).

20 (c) Notice of violations.--If the market surveillance  
21 program reveals instances of items of equipment being offered  
22 for sale which have not been approved as required by State law  
23 or regulation or certified as being in compliance with an  
24 applicable Federal standard, immediate written notice of that  
25 fact shall be furnished the dealer, distributor, wholesaler or  
26 manufacturer. The dealer shall not thereafter sell the equipment  
27 and the distributor, wholesaler or manufacturer shall recall all  
28 the equipment from all dealers.

29 § 4107. Unlawful activities.

30 (a) Violation of vehicle equipment standards.--

1           (1) It is unlawful for any person to sell, offer for  
2           sale, lease, install or replace, either separately or as part  
3           of the equipment of a vehicle, any item of vehicle equipment  
4           which does not comply with this title or regulations  
5           promulgated thereunder, or which does not comply with an  
6           applicable Federal motor vehicle safety standard adopted by  
7           regulation by the department.

8           (2) Any person convicted of violating this subsection  
9           shall be subject to a civil penalty of not more than \$100 for  
10          each violation. Each violation of the provisions of this  
11          subsection shall constitute a separate violation with respect  
12          to each motor vehicle or item of motor vehicle equipment or  
13          with respect to each failure or refusal to allow or perform  
14          an act required thereby, except that the maximum civil  
15          penalty shall not exceed \$10,000 for any related series of  
16          violations.

17          (b) Other violations.--It is unlawful for any person to do  
18          any of the following:

19               (1) Wilfully or intentionally remove (other than for  
20               purposes of repair and replacement) or render inoperative, in  
21               whole or in part, any item of vehicle equipment which was  
22               required to be installed at the time of manufacture or  
23               thereafter upon any vehicle, by any law, rule, regulation or  
24               requirement of any officer or agency of the United States or  
25               of the Commonwealth, if it is intended that the vehicle be  
26               operated upon the highways of this Commonwealth unless the  
27               removal or alteration is specifically permitted by this title  
28               or by regulations promulgated by the department.

29               (2) Operate, or cause or permit another person to  
30               operate, on any highway in this Commonwealth any vehicle or

1 combination which is not equipped as required under this part  
2 or which is otherwise in an unsafe condition.

3 (3) Do any act forbidden by this part or fail to perform  
4 any act required under this part.

5 (c) Use of certain equipment unaffected.--This part shall  
6 not be construed to:

7 (1) Prohibit the use of parts or equipment required by  
8 the National Traffic and Motor Vehicle Safety Act of 1966 (80  
9 Stat. 718, 15 U.S.C.A. § 1381) or the use of any other parts  
10 or accessories on any vehicle not inconsistent with the  
11 provisions of this title or regulations promulgated  
12 thereunder.

13 (2) Limit the use of independent aftermarket repair and  
14 service parts in the repair of vehicles and items of vehicle  
15 equipment unless in violation of the provisions of this title  
16 or regulations promulgated thereunder.

17 § 4108. Injunctive relief.

18 (a) General rule.--Upon petition by the department, the  
19 Commonwealth Court shall have jurisdiction, for cause shown, to  
20 restrain violations of this part or to restrain the sale, offer  
21 for sale or use of any item of vehicle equipment which is  
22 determined to be in violation of this part or regulations  
23 promulgated pursuant thereto.

24 (b) Notice of contemplated action.--Whenever practicable,  
25 the department shall give notice to any person against whom an  
26 action for injunctive relief is contemplated and afford an  
27 opportunity to present views and, except in the case of a  
28 knowing and wilful violation, shall afford reasonable  
29 opportunity to achieve compliance. The failure to give notice  
30 and afford such opportunity shall not preclude the granting of

1 appropriate relief.

2 (c) Non-jury criminal contempt proceedings.--In any  
3 proceeding for criminal contempt for violation of an injunction  
4 or restraining order issued under this section, the court shall  
5 sit without intervention of a jury.

6 CHAPTER 43

7 LIGHTING EQUIPMENT

8 Sec.

9 4301. Promulgation of regulations by department.

10 4302. Period for requiring lighted lamps.

11 4303. General lighting requirements.

12 4304. Obstructed lights not required.

13 4305. Vehicular hazard signal lamps.

14 4306. Use of multiple-beam road lighting equipment.

15 4307. Use and display of illuminated signs.

16 § 4301. Promulgation of regulations by department.

17 The department shall promulgate regulations governing the  
18 number, visibility, color, size, type, construction, location  
19 and use of lamps, other lighting equipment and any  
20 retroreflective surfaces on vehicles.

21 4302. Period for requiring lighted lamps.

22 Every vehicle upon a highway at any time between sunset and  
23 sunrise and at any other time when, due to insufficient light or  
24 unfavorable atmospheric conditions, persons and vehicles on the  
25 highway are not clearly discernible from a distance of 1000 feet  
26 ahead shall display lighted head and other lamps and  
27 illuminating devices as required under this chapter for  
28 different classes of vehicles, subject to exceptions with  
29 respect to parked vehicles. Stop lights, turn signals and other  
30 signaling devices shall be lighted as prescribed in this title.

1 § 4303. General lighting requirements.

2 (a) Head lamps.--Every vehicle, except trailers, operated on  
3 a highway shall be equipped with a head lamp system in  
4 conformance with regulations of the department.

5 (b) Rear lighting.--Every vehicle operated on a highway  
6 shall be equipped with a rear lighting system including, but not  
7 limited to, rear lamps, rear reflectors, stop lamps and license  
8 plate light, in conformance with regulations of the department.

9 (c) Turn signals and hazard warning lights.--Every motor  
10 vehicle, except motorcycles, and every trailer operated on a  
11 highway shall be equipped with a system of turn signal lights  
12 and hazard warning lights in conformance with regulations of the  
13 department.

14 (d) Identification, clearance and side marker lights.--Every  
15 motor vehicle, trailer and combination operated on a highway  
16 shall be equipped with a system of lights which may include  
17 retroreflective reflectors, identification, clearance and side  
18 marker lights in conformance with regulations of the department.

19 (e) Equipment exempted by regulation.--Antique motor  
20 vehicles, animal-drawn vehicles, implements of husbandry and  
21 special mobile equipment, if operated exclusively between the  
22 hours of sunrise and sunset and not during periods of reduced  
23 visibility or insufficient illumination, may be exempted from  
24 certain lighting equipment requirements of this part by  
25 regulations of the department.

26 § 4304. Obstructed lights not required.

27 Whenever motor and other vehicles are operated in combination  
28 during the time that lights are required, any lamp (except a  
29 tail lamp) need not be lighted which, by reason of its location  
30 on a vehicle of the combination, is obscured by another vehicle

1 of the combination, but this does not affect the requirement  
2 that lighted clearance lamps be displayed on the front of the  
3 foremost vehicle required to have clearance lamps, nor that all  
4 lights required on the rear of the rearmost vehicle of any  
5 combination shall be lighted.

6 § 4305. Vehicular hazard signal lamps.

7 (a) General rule.--Simultaneous flashing of the two front  
8 and two rear signal lamps shall indicate a vehicular traffic  
9 hazard. The driver of a motor vehicle equipped with simultaneous  
10 flashing signals shall use the signals when the vehicle is  
11 stopped or disabled on a highway, except when the vehicle is  
12 stopped in compliance with a traffic-control device or when  
13 legally parked. Drivers of other vehicles shall exercise  
14 extraordinary care in approaching, overtaking and passing a  
15 vehicle displaying vehicular hazard warning signals.

16 (b) Use outside business and residence districts.--Outside  
17 of a business or residence district, the driver of a vehicle  
18 equipped with simultaneous flashing signals shall use the  
19 signals when the vehicle is unable to maintain a speed of at  
20 least 25 miles per hour because of weather, grade or other  
21 similar factors or is unable to maintain a speed consistent with  
22 the normal flow of traffic.

23 (c) Use below minimum speed limit.--The driver of a vehicle  
24 equipped with simultaneous flashing signals shall use the  
25 signals when the vehicle is not maintaining at least the minimum  
26 speed established in accordance with the provisions of section  
27 3365 (relating to minimum speed regulation).

28 § 4306. Use of multiple-beam road lighting equipment.

29 (a) Approaching an oncoming vehicle.--Whenever the driver of  
30 a vehicle approaches an oncoming vehicle within 500 feet, the



1 driver shall use the low beam of light.

2 (b) Approaching a vehicle from rear.--Whenever the driver of  
3 a vehicle approaches another vehicle from the rear within 300  
4 feet, the driver shall use the low beam of light.

5 § 4307. Use and display of illuminated signs.

6 (a) General rule.--Except as otherwise provided in this  
7 section, no vehicle shall bear or display any illuminated signs,  
8 letters, numerals or figures of any kind whatsoever.

9 (b) Buses.--A bus or school bus may bear an illuminated sign  
10 stating its use or destination.

11 (c) Taxicabs.--A taxicab may carry on the rear or the top of  
12 the vehicle illuminated signs placed so as not to interfere with  
13 the vision of the driver through the rear window of the vehicle.  
14 The size and placement of the sign must receive approval of the  
15 department or be a type approved by the department prior to use  
16 on the vehicle.

## 17 CHAPTER 45

### 18 OTHER REQUIRED EQUIPMENT

#### 19 Subchapter

20 A. Brake Equipment

21 B. Safety and Anti-pollution Equipment

22 C. Vehicles for Transportation of School Children

23 D. Equipment of Authorized and Emergency Vehicles

#### 24 SUBCHAPTER A

#### 25 BRAKE EQUIPMENT

26 Sec.

27 4501. Promulgation of regulations by department.

28 4502. General requirements for braking systems.

29 § 4501. Promulgation of regulations by department.

30 The department shall promulgate regulations governing the

1 type, size, construction, location and use of brake equipment  
2 taking into consideration different requirements for different  
3 classes or types of vehicles. The authority granted in this  
4 section includes the power to regulate the performance of the  
5 brake system on a vehicle.

6 § 4502. General requirements for braking systems.

7 (a) Parking brakes.--Every vehicle or combination, except a  
8 motorcycle, operated on a highway shall be equipped with a  
9 parking brake system adequate to hold the vehicle or combination  
10 on any grade on which it is operated, under all conditions of  
11 loading, on a surface free of ice or snow. The system shall not  
12 be designed to require a continuous or intermittent source of  
13 energy for full effectiveness after initial application.

14 (b) Service brakes.--Every vehicle and combination operated  
15 on a highway shall be equipped with a service brake system  
16 adequate to control the movement of and to stop and hold the  
17 vehicle or combination on any grade on which it is operated,  
18 under all conditions of loading, and adequate to meet the  
19 braking performance standards established by regulation of the  
20 department.

21 (c) Breakaway systems.--Every combination operated on a  
22 highway, the towed vehicle of which is equipped with brakes or  
23 which has a gross weight in excess of 3,000 pounds, shall be so  
24 equipped that, upon breakaway of the towed vehicle, the towed  
25 vehicle shall be stopped and held automatically, and the towing  
26 vehicle shall be capable of being stopped and held by use of its  
27 own service braking system.

28 (d) Equipment exempted from section.--This section does not  
29 apply to towed instruments of husbandry and such items or types  
30 of special mobile equipment as are specifically exempted from

1 compliance by regulations promulgated by the department.

2 SUBCHAPTER B

3 SAFETY AND ANTI-POLLUTION EQUIPMENT

4 Sec.

5 4521. Promulgation of regulations by department.

6 4522. Violation of Federal statute or regulation.

7 4523. Exhaust systems, mufflers and noise control.

8 4524. Windshield obstructions and wipers.

9 4525. Tire equipment and traction surfaces.

10 4526. Safety glass.

11 4527. Television equipment.

12 4528. Fire extinguishers.

13 4529. Slow moving vehicle emblem.

14 4530. Portable emergency warning devices.

15 4531. Emission control systems.

16 4532. Smoke control for diesel-powered motor vehicles.

17 4533. Spray protection.

18 4534. Rear-view mirrors.

19 4535. Audible warning devices.

20 4536. Bumpers.

21 § 4521. Promulgation of regulations by department.

22 The department shall promulgate regulations governing the  
23 number, size, color, type, construction, location and use of  
24 other equipment on vehicles consistent with but not limited by  
25 the provisions of this subchapter and taking into consideration  
26 different requirements for different classes or types of  
27 vehicles.

28 § 4522. Violation of Federal statute or regulation.

29 (a) General rule.--No person shall drive a vehicle on any  
30 highway in violation of any provision of a Federal statute or

1 regulation relating to any type of equipment or documents used  
2 in the vehicle while engaged in interstate commerce.

3 (b) Penalty.--Any person violating this section is guilty of  
4 a summary offense and shall, upon conviction, be sentenced to  
5 pay a fine of \$100.

6 § 4523. Exhaust systems, mufflers and noise control.

7 (a) Compliance with established sound levels.--Every motor  
8 vehicle operated on a highway shall be constructed, equipped,  
9 maintained and operated so as not to exceed the sound level for  
10 the vehicle as prescribed in regulations promulgated by the  
11 department. The test procedures and instrumentation to be  
12 utilized shall also be established by regulation.

13 (b) Compliance with exhaust requirements.--In addition to  
14 any requirements established under sections 4531 (relating to  
15 emission control systems) and 4532 (relating to smoke control  
16 for diesel-powered vehicles), every motor vehicle shall be  
17 constructed, equipped, maintained and operated so as to prevent  
18 engine exhaust gases from penetrating and collecting in any part  
19 of the vehicle occupied by the driver or passengers.

20 (c) Mufflers and related equipment.--Every motor vehicle  
21 shall be equipped with a muffler or other effective noise  
22 suppressing system in good working order and in constant  
23 operation and no muffler or exhaust system shall be equipped  
24 with a cutout, bypass or similar device.

25 (d) Unauthorized modification of equipment.--No person shall  
26 modify the exhaust system of a motor vehicle in a manner which  
27 will amplify or increase the noise emitted by the motor of the  
28 vehicle above the maximum levels permitted under subsection (a)  
29 or violate the provisions of subsection (b). The original  
30 muffler shall comply with all of the requirements of this part.

1 No person shall operate a motor vehicle with an exhaust system  
2 so modified as to exceed the permissible noise levels  
3 established under this section.

4 (e) Fire equipment and racing vehicles.--This section does  
5 not apply to fire equipment or to racing vehicles being operated  
6 in an organized racing or competitive event conducted under a  
7 permit issued by local authorities.

8 § 4524. Windshield obstructions and wipers.

9 (a) Obstruction on front windshield.--No person shall drive  
10 any motor vehicle with any sign, poster or other nontransparent  
11 material, including ice or snow, upon the front windshield  
12 except an inspection certificate or other officially required  
13 sticker.

14 (b) Obstruction on side and rear windows.--No person shall  
15 drive any motor vehicle with any sign, poster or other  
16 nontransparent material, including ice or snow, upon the side  
17 wings or side or rear windows of the vehicle which materially  
18 obstructs, obscures or impairs the driver's clear view of the  
19 highway or any intersecting highway.

20 (c) Other obstruction.--No person shall drive any motor  
21 vehicle with any object or material hung from the inside rear  
22 view mirror or otherwise hung, placed or attached in such a  
23 position as to materially obstruct, obscure or impair the  
24 driver's vision through the front windshield or any manner as to  
25 constitute a safety hazard.

26 (d) Windshield wiper systems.--The windshield on every motor  
27 vehicle OTHER THAN A MOTORCYCLE OR MOTOR-DRIVEN CYCLE shall be <—  
28 equipped with a wiper system capable of cleaning rain, snow or  
29 other moisture from the windshield, and so constructed as to be  
30 controlled or operated by the driver of the vehicle.

1 § 4525. Tire equipment and traction surfaces.

2 (a) General rule.--No vehicle shall be operated on the  
3 highway unless the vehicle is equipped with tires of a type,  
4 size and construction approved by the department for the vehicle  
5 and unless the tires are in a safe operating condition as  
6 determined in accordance with regulations of the department.

7 (b) Vehicles not equipped with pneumatic tires.--It is  
8 unlawful for any person to operate or move, or cause or permit  
9 to be moved, in contact with any highway any vehicle equipped  
10 with traction or road contact surfaces other than pneumatic  
11 tires unless of a type, size and construction permitted by  
12 regulations of the department and unless the movement is made  
13 under specific conditions allowed by regulations of the  
14 department.

15 (c) Tire studs.--No person shall drive any vehicle upon a  
16 highway with tires containing tire studs.

17 (d) Tire chains.--Tire chains may be temporarily used on  
18 vehicles during periods of snow and ice emergency if they are in  
19 conformance with regulations promulgated by the department.

20 § 4526. Safety glass.

21 (a) Safety glass required.--It is unlawful to sell or to  
22 operate on any highway in this Commonwealth any vehicle  
23 manufactured or assembled after January 1, 1934, and registered  
24 in this Commonwealth unless the vehicle is equipped with safety  
25 glass OR SIMILAR MATERIAL, which is in compliance with <—  
26 regulations promulgated by the department, wherever ~~glass~~ <—  
27 TRANSPARENT OR TRANSLUCENT MATERIAL is used in the vehicle in <—  
28 doors, windows, windshields and wings.

29 (b) Replacement of glass.--It is unlawful for the owner of  
30 any vehicle to have safety glass, broken or otherwise, in the

1 windshields, doors, windows or wings of the vehicle replaced  
2 with any glass other than safety glass. It is unlawful for any  
3 person to install in the windshields, doors, windows or wings of  
4 any vehicle any glass other than safety glass.

5 (c) Violation by common carrier or public utility.--In case  
6 of any violation of any provision of this section by any common  
7 carrier or person operating under a certificate of authority  
8 issued by the Pennsylvania Public Utility Commission, the  
9 certificate shall either be revoked or, in the discretion of the  
10 commission, suspended until the provision or provisions are  
11 complied with to the satisfaction of the commission.

12 (d) Exception.--This section does not apply to house  
13 trailers.

14 § 4527. Television equipment.

15 No motor vehicle operated on a highway shall be equipped with  
16 television-type receiving equipment forward of the back of the  
17 driver's seat or otherwise visible to the driver. This section  
18 does not prevent the use of television-type receiving equipment  
19 in a vehicle used exclusively for safety or law enforcement  
20 purposes as approved by the Pennsylvania State Police.

21 § 4528. Fire extinguishers.

22 Every vehicle towing a house trailer, every motor home and  
23 every motor vehicle with a mounted truck-camper shall be  
24 equipped with at least one fire extinguisher of a type and size  
25 approved by the department.

26 § 4529. Slow moving vehicle emblem.

27 (a) General rule.--All implements of husbandry and special  
28 mobile equipment designed to operate at 25 miles per hour or  
29 less and all animal-drawn vehicles shall, when traveling on a  
30 highway, display on the rear of the vehicle a reflective slow

1 moving vehicle emblem as specified in regulations of the  
2 department. The use of the slow moving vehicle emblem shall be  
3 in addition to any other lighting devices or equipment required  
4 by this title.

5 (b) Limitations on use or display.--No person shall use or  
6 display the slow moving vehicle emblem except as provided in  
7 this section nor shall any person display the emblem on a  
8 vehicle traveling at a speed in excess of 25 miles per hour.

9 (c) Towed vehicles.--The emblem shall be required to be  
10 displayed on a slow moving vehicle which is being towed on a  
11 highway unless the towing vehicle displays the emblem in such a  
12 manner as to be clearly visible from the rear.

13 § 4530. Portable emergency warning devices.

14 (a) General rule.--Every truck, truck-tractor and bus and  
15 any motor vehicle towing a trailer shall carry at least three  
16 portable emergency warning devices of a type specified by  
17 regulations promulgated by the department. The regulations shall  
18 be consistent with Motor Carrier Safety Regulations, Department  
19 of Transportation, Federal Highway Administration, Bureau of  
20 Motor Carrier Safety, section 393.95.

21 (b) When display required.--Whenever any vehicle of a type  
22 referred to in subsection (a) is disabled or stopped for more  
23 than ten minutes upon a roadway or shoulder outside of an urban  
24 district, or upon any divided highway, the driver of the vehicle  
25 shall display the portable warning devices of the type required  
26 under subsection (a) in such manner as the department shall  
27 direct by regulations.

28 § 4531. Emission control systems.

29 (a) Compliance with established maximum levels.--No vehicle  
30 manufactured in compliance with the requirements of the Clean



1 Air Act (77 Stat.392, 42 U.S.C.A. § 1857), or any amendments or  
2 supplements thereto, shall have emissions exceeding the maximum  
3 permissible levels prescribed by law or by regulations  
4 promulgated by the department.

5 (b) Limitation or alteration of system.--No person shall  
6 change or alter the emission control system of a vehicle in such  
7 a manner that it fails to comply with the prescribed emissions  
8 criteria. It is unlawful for the vehicle to be operated under  
9 its own power until a reinspection at an official inspection  
10 station establishes its full compliance.

11 § 4532. Smoke control for diesel-powered motor vehicles.

12 (a) Standards and inspection.--The department shall  
13 promulgate regulations for the control of smoke from diesel-  
14 powered motor vehicles prescribing standards, inspection  
15 procedures and inspection equipment.

16 (b) Compliance with standards.--No person shall operate a  
17 diesel-powered motor vehicle on a highway in such a manner that  
18 the smoke emitted exceeds the standards established under this  
19 section. Each day of operation in violation shall constitute a  
20 separate offense under this subsection.

21 (c) Correction to avoid prosecution.--Any person arrested in  
22 violation of this section shall, upon written notice, be given  
23 the opportunity to correct the violation within 48 hours. If  
24 sufficient proof of correction is furnished to the arresting  
25 officer or his representative within 48 hours of the delivery of  
26 the written notice, no prosecution of the violation shall be  
27 brought.

28 (d) Limitation on alteration of system.--No person shall  
29 intentionally change or alter a factory installed smoke control  
30 system on any diesel-powered vehicle or its fuel system so as to

1 limit the ability of the system to control smoke, and no person  
2 shall remove the smoke control system except for repair or  
3 installation of a proper replacement.

4 § 4533. Spray protection.

5 Every motor vehicle and combination operated on a highway  
6 shall be equipped with fenders or other devices or be otherwise  
7 constructed as to prevent water, dirt or other road substances  
8 from being thrown from the rear wheels into following traffic.

9 § 4534. Rear-view mirrors.

10 No person shall operate a motor vehicle or combination on a  
11 highway unless the vehicle or combination is equipped with at  
12 least one mirror, or similar device, which provides the driver  
13 an unobstructed view of the highway to the rear of the vehicle  
14 or combination.

15 § 4535. Audible warning devices.

16 (a) General rule.--Every motor vehicle operated on a highway  
17 shall be equipped with a horn or other audible warning device of  
18 a type approved in regulations of the department.

19 (b) Certain sound devices prohibited.--Except as  
20 specifically provided in this part or by regulations of the  
21 department, no vehicle operated on a highway shall be equipped  
22 with a siren, bell, whistle or any device emitting a similar  
23 sound or any unreasonably loud or harsh sound.

24 § 4536. Bumpers.

25 No person shall operate any vehicle upon a highway without  
26 bumpers of a type specified by regulations of the department in  
27 both the front and rear unless the vehicle was originally  
28 designed and manufactured to be used without bumpers.

29 SUBCHAPTER C

30 VEHICLES FOR TRANSPORTATION OF SCHOOL CHILDREN

1 Sec.

2 4551. Safety regulations.

3 4552. General requirements for school buses.

4 4553. General requirements for other vehicles transporting  
5 school children.

6 § 4551. Safety regulations.

7 (a) General rule.--All school buses and all other vehicles  
8 used in the transportation of school children, owned by or under  
9 contract with any school district or parochial or private  
10 school, shall conform to standards prescribed by the department.  
11 Regulations shall be promulgated by the department governing the  
12 safe design, construction, equipment and operation of vehicles  
13 engaged in the transportation of school children.

14 (b) Violation and penalty.--No person shall operate or  
15 permit the operation of a vehicle of a type specified in this  
16 subchapter which is not in compliance with the requirements of  
17 this subchapter or applicable regulations issued under this  
18 subchapter. Violation of this section constitutes a summary  
19 offense punishable by a fine of not less than \$50 nor more than  
20 \$100.

21 § 4552. General requirements for school buses.

22 (a) Color and identification.--Every school bus shall be of  
23 a uniform color scheme and labeled "School Bus" on both front  
24 and rear as provided by regulation. Exterior labels and markings  
25 other than those specifically required or permitted by law or  
26 regulation shall be prohibited.

27 (b) Visual signals.--In addition to the applicable lighting  
28 requirements of Chapter 43 (relating to lighting equipment)  
29 every school bus shall be equipped with a uniform front and rear  
30 system of red and amber visual signals for the warning and

1 control of traffic during route operations as provided in  
2 section 3345 (relating to meeting or overtaking school buses)  
3 and in regulations of the department.

4 (c) Body construction.--Every school bus shall be designed  
5 and constructed to provide a single, closed metal body with  
6 adequate ventilation and an entrance door of adequate clearance  
7 and safe design visible to and controlled only by the driver. At  
8 least one emergency exit door of safe design and construction  
9 and adequate labeling shall be located in or near the rear of  
10 the school bus. All side windows shall be of a safe design which  
11 will provide emergency egress for passengers.

12 (d) Seating.--Adequate seating space of safe design and  
13 construction shall be provided for each passenger and no  
14 passenger shall be carried for which adequate seating space is  
15 not available and used.

16 (e) Visibility.--Every school bus shall be designed and  
17 equipped so as to provide the driver with an unobstructed view  
18 of any pedestrian in proximity to the vehicle.

19 (f) Emergency equipment.--Every school bus shall carry, in  
20 good and usable condition, at least one fire extinguisher of  
21 adequate size and type and such other emergency equipment as  
22 regulations may prescribe.

23 (g) Emergency drills.--Each school district and the  
24 administration of every private school within this Commonwealth  
25 shall ensure, through adequate instruction and a minimum of two  
26 actual drills each year, that every student ~~under the age of 18~~ <—  
27 ~~years~~ is familiar with school bus emergency procedures and  
28 equipment and safe loading and unloading operations.

29 (h) Duty of department.--The department shall by regulation  
30 adopt specific requirements implementing this section and any

1 additional requirements, not inconsistent with this section,  
2 which will ensure the maximum safety of school children  
3 furnished transportation.

4 § 4553. General requirements for other vehicles transporting  
5 school children.

6 (a) Buses operated by urban mass transportation systems.--  
7 Buses, other than school buses, operated by urban mass  
8 transportation systems for the exclusive transportation of  
9 school children shall comply with Federal safety standards and  
10 such other safety regulations as the Pennsylvania Public Utility  
11 Commission and the department shall provide for such buses.

12 (b) Other vehicles.--A motor vehicle used to transport  
13 children to or from school or in connection with school  
14 activities, which is not a school bus because of its limited  
15 seating capacity, shall comply with regulations established by  
16 the department for such vehicles.

#### 17 SUBSECTION D

#### 18 EQUIPMENT OF AUTHORIZED AND EMERGENCY VEHICLES

19 Sec.

20 4571. Visual and audible signals on emergency vehicles.

21 4572. Visual signals on authorized vehicles.

22 § 4571. Visual and audible signals on emergency vehicles.

23 (a) General rule.--Every emergency vehicle shall be equipped  
24 with one or more revolving or flashing red lights of sufficient  
25 intensity to be visible in all directions at 500 feet in normal  
26 sunlight and an audible warning system of a type approved by the  
27 department.

28 (b) Police vehicles in general.--Police vehicles may, in  
29 addition to the requirements of subsection (a), be equipped with  
30 approved revolving or flashing blue lights. The combination of

1 red and blue lights may be used only on police vehicles.

2 (c) Unmarked police vehicles.--An unmarked police vehicle  
3 when used as an emergency vehicle and equipped with an approved  
4 audible warning system may be equipped with the lights described  
5 in subsections (a) and (b).

6 (d) Vehicles prohibited from using signals.--Except as  
7 otherwise specifically provided in this part, no vehicle other  
8 than an emergency vehicle may be equipped with lights or audible  
9 warning systems identical or similar to those specified in  
10 subsections (a) and (b).

11 (e) Authorized period of use.--The lights and warning  
12 systems specified by this section may be used only during an  
13 emergency OR IN THE INTEREST OF PUBLIC SAFETY and by police  
14 officers in enforcement of the law. <—

15 § 4572. Visual signals on authorized vehicles.

16 (a) Vehicles of ambulance and firefighting personnel.--  
17 Ambulance personnel and volunteer firefighters whose names  
18 appear on a list signed by the chief of the ambulance or fire  
19 company, fire department or hose company, and filed with the  
20 nearest station of the Pennsylvania State Police, may each equip  
21 one motor vehicle with no more than two flashing or revolving  
22 blue lights. The manner in which the lights are displayed and  
23 the intensity shall be determined by regulation of the  
24 department. The driver shall be able to operate the lights from  
25 inside the vehicle.

26 (1) The lights may be used only while enroute to or at  
27 the scene of a fire or emergency call.

28 (2) Blue lights shall be removed from the vehicle of a  
29 volunteer firefighter or ambulance personnel within ten days  
30 of receipt of notice from the chief of a a fire company, fire

department or ambulance squad to remove the light upon termination of the person's status as an active volunteer firefighter or ambulance personnel, or when the vehicle is no longer used in connection with the person's duties as a volunteer firefighter or ambulance personnel.

(3) This subsection does not relieve the driver from the duty to drive with due regard for the safety of all persons nor exempt the driver from complying with all provisions of this title.

(b) Other authorized vehicles.--Vehicles authorized pursuant to the provisions of section 6107 (relating to designation of authorized vehicles by department) may be equipped with no more than two revolving or flashing yellow lights. The manner in which the light shall be displayed and the intensity shall be determined by regulation of the department.

(c) Vehicles prohibited from using lights.--No vehicle other than a duly authorized vehicle may be equipped with lights identical or similar to those specified in subsections (a) and (b).

## CHAPTER 47

### INSPECTION OF VEHICLES

#### Subchapter

##### A. Inspection Requirements

##### B. Official Inspection Stations

#### SUBCHAPTER A

### INSPECTION REQUIREMENTS

#### Sec.

4701. Duty to comply with inspection laws.

4702. Requirement for periodic inspection of vehicles.

4703. Operation of vehicle without official certificate of

1 inspection.

2 4704. Notice by police officers of violation.

3 4705. Inspection of vehicles for transportation of school  
4 children.

5 § 4701. Duty to comply with inspection laws.

6 No owner or driver shall refuse to submit a vehicle to any  
7 inspection and test that is authorized or required by the  
8 provisions of this chapter.

9 § 4702. Requirement for periodic inspection of vehicle.

10 (a) General rule.--Every vehicle registered in this  
11 Commonwealth shall be inspected PERIODICALLY and an official <—  
12 certificate of inspection and approval ~~shall be~~ obtained for <—  
13 ~~each~~ THE vehicle. The items of equipment and the method of <—  
14 inspection shall be in accordance with regulations of the  
15 department.

16 (b) Inspection periods.--~~Vehicles~~ EVERY VEHICLE shall be <—  
17 inspected ~~annually~~ SEMI-ANNUALLY on a schedule established by <—  
18 the department. ONE SEMI-ANNUAL INSPECTION PERIOD SHALL BE <—  
19 SCHEDULED SO THAT THE RENEWED REGISTRATION CAN BE EFFECTUATED BY  
20 INSPECTION OF THE VEHICLE, AS PROVIDED IN SECTION 1307(C)  
21 (RELATING TO RENEWAL OF REGISTRATION).

22 (c) Inspection of vehicles reentering this Commonwealth.--  
23 Owners of Pennsylvania registered vehicles which have been  
24 outside of this Commonwealth continuously for 30 days or more  
25 and which at the time of reentering this Commonwealth do not  
26 bear a currently valid certificate of inspection and approval  
27 shall, within ~~48 hours~~ FIVE DAYS of reentering this <—  
28 Commonwealth, proceed to an official inspection station for an  
29 inspection of the vehicle.

30 (d) Extension of inspection period.--The department may, by



1 regulation, extend the time for any of the inspections required  
2 by this chapter for not more than 60 days due to weather  
3 conditions or other causes which render compliance with the  
4 provisions of this chapter within the prescribed time difficult  
5 or impossible.

6 (e) ~~Exceptions~~ EXCEPTION.--This section does not apply to <—  
7 ~~motor driven cycles or~~ special mobile equipment. <—

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

10 (a) General rule.--No motor vehicle or trailer shall be  
11 driven on a highway unless the vehicle displays a currently  
12 valid certificate of inspection and approval.

13 (b) Exceptions.--Subsection (a) does not apply to any  
14 vehicle while it is being towed to an official inspection  
15 station nor to any vehicle while being operated by an owner or  
16 employee of an official inspection station for the purpose of  
17 inspection.

18 (c) Display of unauthorized certificate of inspection.--No  
19 certificate of inspection and approval shall be displayed unless  
20 an official inspection has been made and the vehicle is in  
21 conformance with the provisions of this chapter.

22 (d) Authority of police.--Any police officer may stop any  
23 motor vehicle or trailer and require the owner or operator to  
24 display an official certificate of inspection and approval for  
25 the vehicle being operated. A police officer may summarily  
26 remove an unlawfully issued certificate of inspection from any  
27 vehicle.

28 § 4704. Notice by police officers of violation.

29 (a) General rule.--Any police officer having probable cause  
30 to believe that any vehicle, regardless of whether it is being

1 operated, is unsafe or not equipped as required by law may at  
2 any time submit a written notice of the condition to the driver  
3 of the vehicle or to the owner, or if neither is present, to an  
4 adult occupant of the vehicle, or if the vehicle is unoccupied,  
5 the notice shall be attached to the vehicle in a conspicuous  
6 place.

7 (1) If an item of equipment is broken or missing, the  
8 notice shall specify the particulars of the condition and  
9 require that the equipment be adjusted or repaired. Within  
10 five days evidence must be submitted to the police that the  
11 requirements for repair have been satisfied.

12 (2) If the police officer has probable cause to believe  
13 that a vehicle is unsafe or not in proper repair, he may  
14 require in the written notice that the car be inspected. The  
15 owner or driver shall submit to the police within five days  
16 of the date of notification certification from an official  
17 inspection station that the vehicle has been restored to safe  
18 operating condition in relation to the particulars specified  
19 on the notice.

20 (3) After the expiration of the five-day period  
21 specified in paragraphs (1) and (2), the vehicle shall not be  
22 operated upon the highways of this Commonwealth until the  
23 owner or driver has submitted to the police evidence of  
24 compliance with the requirements of paragraph (1) or (2),  
25 whichever is applicable.

26 (b) Operation prohibited if hazardous.--In the event a  
27 vehicle, in the reasonable judgment of the officer, is in such  
28 condition that further operation would be hazardous, the officer  
29 may require that the vehicle not be operated under its own power  
30 and may so stipulate in the notice given under subsection (a).

1 § 4705. Inspection of vehicles for transportation of school  
2 children.

3 (a) State Police inspection.--The owner of every vehicle  
4 which is to be used for the transportation of school children  
5 shall, in addition to any other inspection required by this  
6 chapter, submit the vehicle to the Pennsylvania State Police  
7 annually prior to operating the vehicle for the transportation  
8 of school children during the school year, to determine whether  
9 the vehicle conforms with the provisions of this chapter  
10 including regulations promulgated by the department. If the  
11 vehicle is in conformance, a certificate of inspection and  
12 approval shall be issued by the Pennsylvania State Police.

13 (b) Display of certificate.--No vehicle requiring a  
14 certificate of inspection under the provisions of this section  
15 shall be operated without prominently displaying the  
16 certificate, in the manner directed by the department, in  
17 addition to any other certificate required by law, on any of the  
18 highways of this Commonwealth.

19 SUBCHAPTER B

20 OFFICIAL INSPECTION STATIONS

21 Sec.

22 4721. Appointment of official inspection stations.

23 4722. Certificate of appointment.

24 4723. Certificate of appointment for inspecting fleet  
25 vehicles.

26 4724. Suspension of certificates of appointment.

27 4725. Use of certificate of appointment at official inspection  
28 stations.

29 4726. Certification of mechanics.

30 4727. Issuance of certificate of inspection.

1 ~~4728. Certificate of rejection.~~ <—

2 ~~4729~~ 4728. Display of certificate of inspection. <—

3 4729. REMOVAL OF CERTIFICATE OF INSPECTION. <—

4 4730. Violations of use of certificate of inspection.

5 4731. Records of inspections and certificates issued.

6 4732. INSPECTION ADVISORY BOARD. <—

7 § 4721. Appointment of official inspection stations.

8 For the purpose of establishing a system of official  
9 inspection stations, the department shall issue certificates of  
10 appointment to privately owned facilities that comply with the  
11 requirements of this chapter and regulations adopted by the  
12 department. The department shall issue instructions and all  
13 necessary forms to such facilities. Official inspection stations  
14 are authorized to inspect vehicles and issue official  
15 certificates of inspection.

16 § 4722. Certificate of appointment.

17 (a) Application and issuance.--Application for a certificate  
18 of appointment shall be made upon an official form and  
19 accompanied by the appropriate fee. The certificate of  
20 appointment shall be issued only when the department is  
21 satisfied that the station is equipped properly and has  
22 competent personnel to make inspections and adjustments and that  
23 inspections will be conducted properly. Only those stations  
24 fulfilling department requirements and complying with department  
25 regulations shall be issued a certificate of appointment.

26 (b) Separate application for each place of business.--If the  
27 applicant has or intends to have more than one place of business  
28 within this Commonwealth, a separate application shall be made  
29 for each place of business.

30 (c) Bond or proof of insurance.--Before issuing a

1 certificate of appointment the department shall require a bond  
2 or proof of insurance to provide compensation for any damage to  
3 a vehicle during an inspection or adjustment due to negligence  
4 on the part of the applicant or its employees in such amount as  
5 is deemed adequate by the department pursuant to department  
6 regulations.

7 § 4723. Certificate of appointment for inspecting fleet  
8 vehicles.

9 The department may issue a certificate of appointment under  
10 the provisions of this chapter to any person who owns or leases  
11 15 or more vehicles and who meets the requirements of this  
12 chapter and regulations adopted by the department. The  
13 certificate of appointment may authorize inspection of only  
14 those vehicles owned or leased by such person.

15 § 4724. Suspension of certificates of appointment.

16 (a) General rule.--The department shall supervise and  
17 inspect official inspection stations and shall suspend the  
18 certificate of appointment issued to a station which it finds is  
19 not properly equipped or conducted or which has violated or  
20 failed to comply with any of the provisions of this chapter or  
21 regulations adopted by the department. The department shall  
22 maintain a list of all stations holding certificates of  
23 appointment and of those whose certificates of appointment have  
24 been suspended. Any suspended certificate of appointment and all  
25 unused certificates of inspection shall be returned immediately  
26 to the department.

27 (b) Judicial review.--Any person whose certificate of  
28 appointment has been denied or suspended under this chapter  
29 shall have the right to file a petition within 30 days for a  
30 hearing on the matter in the court of common pleas of the county

1 in which the inspection station is located. The court is hereby  
2 vested with jurisdiction and it shall be its duty to set the  
3 matter for hearing upon 30 days' written notice to the  
4 department and to take testimony and examine into the facts of  
5 the case and to determine whether the petitioner is entitled to  
6 a certificate of appointment or is subject to suspension of the  
7 certificate of appointment under the provisions of this chapter.  
8 § 4725. Use of certificate of appointment at official  
9 inspection stations.

10 (a) General rule.--No person shall in any manner represent  
11 any place as an official inspection station unless the station  
12 is operating under a valid certificate of appointment issued by  
13 the department.

14 (b) Transfer, use and posting.--No certificate of  
15 appointment for any official inspection station shall be  
16 assigned or transferred or used at any location other than the  
17 one designated in the certificate. The certificate of  
18 appointment shall be posted in a conspicuous place at such  
19 location.

20 (c) Penalty.--Any person violating this section for the  
21 first time is guilty of a summary offense and shall, upon  
22 conviction, be sentenced to pay a fine of ~~not less than~~ \$100. <—  
23 Any subsequent violation of this section constitutes a  
24 misdemeanor of the third degree punishable by a fine of not less  
25 than \$500.

26 § 4726. Certification of mechanics.

27 No mechanic shall conduct motor vehicle inspections at an  
28 official inspection station unless certified as to training,  
29 qualifications and competence by the department according to  
30 department regulations. No official inspection station

1 appointment shall be issued or renewed unless a certified  
2 official inspection mechanic is there employed.

3 § 4727. Issuance of certificate of inspection.

4 (A) REQUIREMENTS PRIOR TO INSPECTION.--No vehicle shall be <—  
5 inspected unless it is duly registered, the registration card  
6 signed by the registrant and the required no-fault and liability  
7 insurance information on the registration card found to  
8 correspond with the proof of insurance.

9 (B) REQUIREMENTS FOR ISSUANCE OF CERTIFICATE.--An official <—  
10 certificate of inspection shall not be issued unless the vehicle  
11 is inspected and found to be in compliance with the provisions  
12 of this chapter including any regulations promulgated by the  
13 department. Notation of the odometer reading shall be included  
14 on the certificate of inspection.

15 ~~§ 4728. Certificate of rejection.~~ <—

16 ~~(a) General rule. In the event repair or adjustment of any~~  
17 ~~vehicle or its equipment is found necessary upon inspection and~~  
18 ~~the vehicle is to be operated on the highway prior to the repair~~  
19 ~~or adjustment, an official certificate of rejection shall be~~  
20 ~~affixed to the windshield in place of the existing certificate~~  
21 ~~of inspection. The necessary repairs or adjustments shall be~~  
22 ~~made to the vehicle and a certificate of inspection obtained~~  
23 ~~within five days. After expiration of the five day period, the~~  
24 ~~vehicle may not be operated on a highway until it has been~~  
25 ~~reinspected and a certificate of inspection obtained.~~

26 ~~(b) Discretion of owner. The owner of a vehicle receiving a~~  
27 ~~certificate of rejection may obtain the repair or adjustment at~~  
28 ~~a place selected by the owner.~~

29 ~~§ 4729. Display of certificate of inspection.~~

30 ~~The appropriate inspection certificate shall be placed on the~~

1 ~~vehicle in accordance with regulations adopted by the department~~  
2 ~~at the conclusion of each inspection and no certificate of~~  
3 ~~inspection shall be removed from the vehicle for which the~~  
4 ~~certificate was issued except to replace it with a new~~  
5 ~~certificate of inspection issued in accordance with the~~  
6 ~~provisions of this chapter or except as provided in section~~  
7 ~~4703(d) (relating to operation of vehicle without official~~  
8 ~~certificate of inspection). Every vehicle inspected under the~~  
9 ~~provisions of this chapter shall at all times display the~~  
10 ~~certificate of inspection placed upon the vehicle.~~

11 § 4728. DISPLAY OF CERTIFICATE OF INSPECTION. <—

12 THE APPROPRIATE INSPECTION CERTIFICATE SHALL BE AFFIXED TO  
13 THE REAR WINDOW OF THE VEHICLE, OR AS SPECIFIED IN REGULATIONS  
14 ADOPTED BY THE DEPARTMENT.

15 § 4729. REMOVAL OF CERTIFICATE OF INSPECTION.

16 NO CERTIFICATE OF INSPECTION SHALL BE REMOVED FROM A VEHICLE  
17 FOR WHICH THE CERTIFICATE WAS ISSUED EXCEPT TO REPLACE IT WITH A  
18 NEW CERTIFICATE OF INSPECTION ISSUED IN ACCORDANCE WITH THE  
19 PROVISIONS OF THIS CHAPTER OR AS FOLLOWS:

20 (1) THE POLICE OFFICER MAY REMOVE AN INSPECTION  
21 CERTIFICATE IN ACCORDANCE WITH THE PROVISIONS OF SECTION  
22 4703(D) (RELATING TO OPERATION OF VEHICLE WITHOUT OFFICIAL  
23 CERTIFICATE OF INSPECTION).

24 (2) A PERSON REPLACING A WINDSHIELD OR REPAIRING A  
25 WINDSHIELD IN SUCH A MANNER AS TO REQUIRE REMOVAL OF AN  
26 INSPECTION STICKER SHALL DESTROY THE INSPECTION STICKER.

27 (3) A SALVOR SHALL REMOVE AND DESTROY THE INSPECTION  
28 CERTIFICATE ON EVERY VEHICLE IN HIS POSSESSION EXCEPT  
29 VEHICLES USED IN THE OPERATION OF THE BUSINESS OF THE SALVOR.

30 § 4730. Violations of use of certificate of inspection.



(a) General rule.--No person shall:

(1) make, issue, transfer or possess any imitation or counterfeit of an official certificate of inspection; or

(2) display or cause to be displayed on any vehicle or have in possession any certificate of inspection knowing the same to be fictitious or stolen or issued for another vehicle or issued without an inspection having been made.

(b) Unauthorized use by official inspection station.--No official inspection station shall furnish, loan, give or sell certificates of inspection and approval to any other official inspection station or any other person except upon an inspection made in accordance with the requirements of this chapter.

(c) Penalty.--A first offense of violating the provisions of this section constitutes a summary offense punishable by a fine of ~~not less than \$50 nor more than~~ \$100. A second or subsequent offense constitutes a misdemeanor of the third degree.

~~punishable by a fine of not less than \$300.~~

§ 4731. Records of inspections and certificates issued.

A record shall be made of every inspection and every certificate issued and the record shall be forwarded to the department in the manner and at the time the department shall specify by regulation. An official inspection station and its records shall be open for inspection by any police officer or authorized department employee.

§ 4732. INSPECTION ADVISORY BOARD.

(A) MEMBERSHIP.--THERE SHALL BE AN INSPECTION ADVISORY BOARD CONSISTING OF NINE MEMBERS APPOINTED BY THE DEPARTMENT. THE BOARD SHALL BE COMPOSED OF AN AUTHORIZED REPRESENTATIVE OF THE DEPARTMENT AND REPRESENTATIVES OF THE AUTOMOTIVE INDUSTRY AND THE PUBLIC, AS FOLLOWS: A NEW CAR DEALER, A USED CAR DEALER, A

1 FLEET OWNER, A CERTIFIED MECHANIC, A SERVICE STATION OPERATOR, A  
2 PARTS AND EQUIPMENT WHOLESALE AND TWO MEMBERS OF THE GENERAL  
3 PUBLIC WHO ARE LICENSED DRIVERS.

4 (B) DUTIES.--THE BOARD SHALL ADVISE THE DEPARTMENT AND  
5 REVIEW REGULATIONS PROPOSED BY THE DEPARTMENT CONCERNING  
6 INSPECTION REQUIREMENTS AND OPERATION OF OFFICIAL INSPECTION  
7 STATIONS.

## 8 CHAPTER 49

### 9 SIZE, WEIGHT AND LOAD

#### 10 Subchapter

11 A. General Provisions

12 B. Width, Height and Length

13 C. Maximum Weights of Vehicles

14 D. Special Permits for Excessive Size and Weight

15 E. Measuring and Adjusting Vehicle Size and Weight

#### 16 SUBCHAPTER A

#### 17 GENERAL PROVISIONS

18 Sec.

19 4901. Scope and application of chapter.

20 4902. Restrictions on use of highways and bridges.

21 4903. Securing loads in vehicles.

22 4904. Limits on number of towed vehicles.

23 4905. Safety requirements for towed vehicles.

24 4906. Fire apparatus.

25 4907. Penalty for violation of chapter.

26 § 4901. Scope and application of chapter.

27 (a) General rule.--It is unlawful for any person to drive or  
28 move, or for the owner to cause or permit to be driven or moved,  
29 on any highway any vehicle or vehicles of a size or weight  
30 exceeding the limitations provided in this chapter or any

1 vehicle or vehicles which are not so constructed or equipped as  
2 required in this title or the regulations of the department.

3 (b) Limitations on local regulation.--The maximum size and  
4 weight of vehicles specified in this chapter shall govern  
5 throughout this Commonwealth and local authorities shall have no  
6 power or authority to alter these limitations except as express  
7 authority may be granted in this title.

8 (c) Permit authorizing prohibited movement.--If an  
9 overweight or oversize movement cannot be made in any other  
10 feasible manner, the permit may authorize the movement to be  
11 made in contravention to any provision of this title provided  
12 that:

13 (1) the department or local authority determines that  
14 the movement is in the public interest; and

15 (2) the movement is escorted by the Pennsylvania State  
16 Police or department personnel while any provision of this  
17 title is being contravened.

18 § 4902. Restrictions on use of highways and bridges.

19 (a) General rule.--The department and local authorities with  
20 respect to highways and bridges under their jurisdictions may  
21 prohibit the operation of vehicles and may impose restrictions  
22 as to the weight or size of vehicles operated upon a highway or  
23 bridge whenever the highway or bridge, by reason of  
24 deterioration or rain, snow or other climatic conditions, may be  
25 damaged or destroyed unless the use of vehicles is prohibited or  
26 the permissible weights reduced.

27 (b) Permit with bond.--The department and local authorities  
28 may issue permits for movement of vehicles of size and weight in  
29 excess of the restrictions promulgated under subsection (a) with  
30 respect to highways and bridges under their jurisdiction,

1 conditioned upon the execution of a surety bond by the user in  
2 favor of the department or local authorities to cover the cost  
3 of repairs necessitated by the movement.

4 (c) Restrictions from traffic conditions.--The department  
5 and local authorities with respect to highways and bridges under  
6 their jurisdictions may prohibit the operation of vehicles and  
7 may impose restrictions as to the weight or size of vehicles  
8 operated upon a highway or bridge by reason of hazardous traffic  
9 conditions or other safety factors.

10 (d) Erection of signs.--The department and the local  
11 authorities shall erect or cause to be erected and maintained  
12 signs designating the restrictions at each end of that portion  
13 of any highway or bridge restricted as provided in subsections  
14 (a) and (c). The restrictions shall not be effective unless  
15 signs are erected and maintained in accordance with this  
16 subsection.

17 § 4903. Securing loads in vehicles.

18 (a) General rule.--No vehicle shall be driven or moved on  
19 any highway unless the vehicle is so constructed or loaded as to  
20 prevent any of its load from dropping, sifting, leaking or  
21 otherwise escaping.

22 (b) Fastening load.--Every load on a vehicle shall be  
23 fastened so as to prevent the load or covering from becoming  
24 loose, detached or in any manner a hazard to other users of the  
25 highway.

26 (c) Establishment of standards for fastening devices.--The  
27 department may promulgate regulations establishing minimum  
28 standards governing types and numbers of devices to be used in  
29 securing loads to prevent spillage and leakage of a load while  
30 in transit.

(d) Exceptions.--This section does not prohibit:

(1) the necessary spreading of any substance in highway maintenance or construction operations; or

(2) the shedding or dropping of feathers or other matter from vehicles hauling live birds or animals.

§ 4904. Limits on number of towed vehicles.

(a) General rule.--No motor vehicle shall be operated upon a highway towing more than one other vehicle except as otherwise provided in this section.

(b) Farm tractors.--Farm tractors may tow no more than two other vehicles when engaged in agricultural operations.

(c) Towing vehicles requiring service.--A dolly not exceeding ten feet in length may be towed by a motor vehicle for the purpose of towing another vehicle requiring service.

(d) Driveaway-towaway operations.--Not more than two truck-tractors, empty trucks or chassis therefor, may be towed by a truck-tractor, truck or the chassis thereof, provided that only the rear wheels of the drawn vehicles shall touch the road surface.

§ 4905. Safety requirements for towed vehicles.

(a) Connecting devices and distances.--When one vehicle is towing another, the connection shall be of sufficient strength to pull all weight towed. The distance between the vehicles shall not exceed 15 feet except between any two vehicles transporting poles, pipes, machinery or other objects of a structural nature such that they cannot readily be dismembered.

(b) Red flags and lights.--If the distance between the vehicles exceeds five feet, a red flag or cloth not less than 12 inches square shall be displayed upon the connection centered between the vehicles. During hours of darkness a red light shall

1 be displayed at the same position in lieu of the flag or cloth.

2 (c) Deflection of trailer wheels.--Every trailer shall be  
3 attached to the vehicle drawing it so as to prevent the wheels  
4 of the trailer from deflecting more than six inches from the  
5 path of the drawing vehicle's wheels.

6 (d) Safety chains.--Whenever two vehicles are connected by a  
7 ball-and-socket type hitch, or pintle hook without a locking  
8 device, they shall also be connected by two safety chains of  
9 equal length, each safety chain having an ultimate strength at  
10 least equal to the gross weight of the towed vehicles. The  
11 safety chains shall be crossed and connected to the towed and  
12 towing vehicle and to the tow bar so as to prevent the tow bar  
13 from dropping to the ground in the event the tow bar fails or  
14 becomes disconnected. The safety chains shall have no more slack  
15 than is necessary to permit proper turning.

16 (e) Obstructed lighting equipment.--Whenever the rear  
17 running lights, stop lights, turn signals or hazard warning  
18 lights required by the provisions of Chapter 43 (relating to  
19 lighting equipment) are obstructed by the load on a vehicle or  
20 by a towed vehicle or its load, lighting equipment shall be  
21 displayed on the rear of the towed vehicle or load equivalent to  
22 the obstructed lights or signals.

23 § 4906. Fire apparatus.

24 This chapter does not apply to fire apparatus unless  
25 specifically provided otherwise.

26 § 4907. Penalty for violation of chapter.

27 Any person violating any provision of this chapter for which  
28 a penalty is not otherwise provided is guilty of a summary  
29 offense and shall, upon conviction, be sentenced to pay a fine  
30 of not less than \$50 nor more than \$100.

SUBCHAPTER B

WIDTH, HEIGHT AND LENGTH

Sec.

4921. Width of vehicles.

4922. Height of vehicles.

4923. Length of vehicles.

4924. Limitations on length of projecting loads.

4925. Width of projecting loads on passenger vehicles.

§ 4921. Width of vehicles.

(a) General rule.--The total outside width of a vehicle, including any load, shall not exceed eight feet, excluding any necessary mirrors or lights, except as otherwise provided in this section.

(b) Farm vehicles.--

(1) Any implement of husbandry or vehicle loaded with vegetable produce or forage crops in bulk and not exceeding ten feet in width may operate between sunrise and sunset on highways other than freeways.

(2) Any implement of husbandry not exceeding 14 feet 6 inches in width may ~~operate~~ BE OPERATED, HAULED OR TOWED between sunrise and sunset on highways other than freeways if the movement is limited to a radius of ~~five~~ 25 miles from the home or farm of the owner, OR FROM THE PLACE OF BUSINESS OF A DEALER IN IMPLEMENTS OF HUSBANDRY.

(c) Buses.--Any bus operated wholly within a municipality, where permitted by the municipality, or in more than one municipality, where approved by the Public Utility Commission, may have a total outside width not to exceed eight feet six inches when operated upon a highway having traffic-lane widths of not less than ten feet. This exception does not apply on the

1 National System of Interstate and Defense Highways.

2 (d) Nondivisible loads.--Vehicles carrying nondivisible  
3 loads not exceeding eight feet six inches in width may operate  
4 on any highway having a roadway width of 20 feet or more.

5 (e) Exceptions.--The provisions of this subchapter governing  
6 the width of vehicles do not apply to street sweepers and snow  
7 removal equipment.

8 § 4922. Height of vehicles.

9 (a) General rule.--No vehicle, including any load, shall  
10 exceed a height of 13 feet 6 inches. This provision shall not be  
11 construed to require public authorities to provide sufficient  
12 vertical clearance to permit the operation of such vehicles.

13 (b) Buses.--Any bus operated wholly within a municipality,  
14 where permitted by the municipality, or in more than one  
15 municipality, where approved by the Public Utility Commission,  
16 may be of a total height, including load, not to exceed 14 feet  
17 6 inches.

18 (c) Exceptions.--The provisions of this subchapter governing  
19 the height of vehicles do not apply to fire apparatus or to  
20 vehicles used exclusively to repair overhead lights and wires.

21 § 4923. Length of vehicles.

22 (a) General rule.--No motor vehicle, including any load and  
23 bumpers, shall exceed an overall length of 40 feet, and no  
24 combination, including any load and bumpers, shall exceed an  
25 over-all length of 55 feet.

26 (b) Exceptions.--The limitations of (a) do not apply to the  
27 following ~~vehicles~~:

28 (1) Any motor vehicle equipped with a boom or boom-like  
29 device which does not exceed 55 feet.

30 (2) ~~Any~~ THE LOAD ON A combination designed exclusively

<—

<—



1 for carrying motor vehicles ~~and not exceeding an~~ IF THE <—  
2 overall length of THE COMBINATION AND LOAN DOES NOT EXCEED 60 <—  
3 feet.

4 (3) Any combination transporting articles which do not  
5 exceed 70 feet in length and are nondivisible as to length.

6 § 4924. Limitations on length of projecting loads.

7 (a) General rule.--Subject to the provisions of this  
8 subchapter limiting the length of vehicles and loads, the load  
9 upon any vehicle or the load upon the front vehicle of a  
10 combination of vehicles shall not extend more than three feet  
11 beyond the foremost part of the vehicle, and the load upon any  
12 vehicle operated alone or the load, other than a non-divisible  
13 load, upon the rear vehicle of a combination shall not extend  
14 more than six feet beyond the rear of the bed or body of such  
15 vehicle.

16 (b) Red flags and lights.--If the load on any vehicle  
17 extends more than four feet beyond the rear of the vehicle, a  
18 red flag or cloth not less than 12 inches square shall be  
19 displayed at the end of the load. During hours of darkness, a  
20 red light shall be displayed in the same position in lieu of the  
21 flag or cloth.

22 (c) Compliance with maximum length limitations.--Subsection  
23 (a) does not permit loads to exceed the maximum limits set forth  
24 in section 4923 (relating to length of vehicles).

25 § 4925. Width of projecting loads on passenger vehicles.

26 (a) General rule.--No passenger-type vehicle shall be  
27 operated on any highway with a load extending beyond the left  
28 side of the vehicle nor extending more than 12 inches beyond the  
29 right side of the vehicle.

30 (b) Exception.--This section does not apply to emergency

1 vehicles.

2 SUBCHAPTER C

3 MAXIMUM WEIGHTS OF VEHICLES

4 Sec.

5 4941. Maximum gross weight of vehicles.

6 4942. Registered gross weight.

7 4943. Maximum axle weight of vehicles.

8 4944. Maximum wheel and tire loads.

9 4945. Penalties for exceeding maximum weights.

10 4946. Impoundment of vehicles for nonpayment of overweight  
11 fines.

12 4947. Disposition of impounded vehicles and loads.

13 4948. Maximum weight and seating capacity of buses.

14 § 4941. Maximum gross weight of vehicles.

15 (a) General rule.--No vehicle or combination shall, when  
16 operated upon a highway, have a gross weight exceeding 73,280  
17 pounds.

18 (b) Combination of vehicles.--No combination shall, when  
19 operated upon a highway, have a gross weight exceeding the  
20 following:

21	Maximum
22	Gross Weight
23	In Pounds
24	Two-axle truck-tractor & single-axle semitrailer 50,000
25	Two-axle truck-tractor & two-axle semitrailer 60,000
26	Three-axle truck-tractor & single-axle semitrailer 60,000
27	Two-axle truck & two-axle trailer 62,000

28 § 4942. Registered gross weight.

29 (a) Single vehicle limits.--No vehicle registered as a  
30 truck, a combination or a trailer shall be operated with a gross

1 weight in excess of its registered gross weight.

2 (b) Truck towing trailer.--No vehicle registered as a truck  
3 shall be operated with a gross weight, exclusive of any trailer  
4 being towed, in excess of its registered gross weight as a  
5 truck.

6 (c) Combination.--No combination shall be operated with a  
7 gross weight in excess of the registered gross weight of the  
8 truck or truck-tractor for a combination.

9 § 4943. Maximum axle weight of vehicles.

10 (a) General rule.--No motor vehicle or combination shall,  
11 when operated upon a highway, have a weight upon each of two  
12 adjacent axles in excess of the following:

13 If the Center-to-Center	Maximum Axle Weight in Pounds Upon:	
14 Distance Between Two		
15 Adjacent Axles is:	One of Two	Other of Two
16	Adjacent Axles	Adjacent Axles
17 Under 6 feet	18,000	18,000
18 6 to 8 feet	18,000	22,400
19 Over 8 feet	22,400	22,400

20 (b) Location of front axle of semitrailer.--No semitrailer,  
21 originally in this Commonwealth on or after September 1, 1973,  
22 and having two or more axles, shall be operated upon a highway  
23 unless the foremost axle of the semitrailer is at least 12 feet  
24 from the rearmost axle of the towing vehicle.

25 § 4944. Maximum wheel and tire loads.

26 (a) Wheels.--No motor vehicle or combination shall, when  
27 operated upon a highway, have a weight upon any one wheel in  
28 excess of 800 pounds for each nominal inch of width on the  
29 wheel.

30 (b) Tires.--No motor vehicle or combination shall be

1 operated on a highway with a weight on any tire in excess of the  
2 weight specified for the tire at its measured cold inflation  
3 pressure in any of the publications listed in Federal Motor  
4 Vehicle Safety Standard No. 119 (49 C.F.R. 571.119). In no case  
5 shall any tire be loaded beyond or inflated above the maximum  
6 load rating and inflation pressure marked on its side wall in  
7 accordance with Federal Motor Vehicle Safety Standard No. 119.

8 § 4945. Penalties for exceeding maximum weights.

9 (a) Gross weight violations.--Any person operating a vehicle  
10 or combination upon a highway exceeding the maximum gross weight  
11 allowed by section 4941 (relating to maximum gross weight of  
12 vehicles) or the registered gross weight allowed by section 4942  
13 (relating to registered gross weight), whichever is less, is  
14 guilty of a summary offense and shall, upon conviction, be  
15 sentenced to pay a fine of \$100 plus \$100 for each additional  
16 500 pounds, or part thereof, over 3,000 pounds. If the gross  
17 weight of any vehicle or combination exceeds 73,280 pounds, the  
18 fine shall be double the amount for other weight violations.

19 (b) Axle weight violation.--Subject to the provisions of  
20 section 4982(c) (relating to reducing or readjusting loads of  
21 vehicles), any person operating a vehicle or combination with a  
22 weight on an axle or pair of axles exceeding the maximum axle  
23 weights allowed by section 4943 (relating to maximum axle weight  
24 of vehicles) is guilty of a summary offense and shall, upon  
25 conviction, be sentenced to pay a fine of \$100 plus an  
26 additional \$100 for each 500 pounds, or part thereof, in excess  
27 of 2,000 pounds.

28 (c) Wheel weight violation.--Any person operating a vehicle  
29 or combination upon a highway exceeding the maximum wheel weight  
30 allowed by section 4944 (relating to maximum wheel and tire

1 loads) is guilty of a summary offense and shall, upon  
2 conviction, be sentenced to pay a fine of \$100 plus an  
3 additional \$100 for each 500 pounds, or part thereof, in excess  
4 of 1,000 pounds.

5 (d) Concurrent violations.--In any case in which there are  
6 concurrent violations of more than one of the sections or  
7 subsections of this subchapter prescribing maximum weights, the  
8 only penalty imposed shall be for violation of that section or  
9 subsection which produces the greatest fine.

10 § 4946. Impoundment of vehicles for nonpayment of overweight  
11 fines.

12 (a) General rule.--On default of payment of any fine and  
13 costs of prosecution imposed pursuant to section 4945 (relating  
14 to penalties for exceeding maximum weights), the issuing  
15 authority shall impound the vehicle or combination and order a  
16 police officer to seize them.

17 (b) Storage and costs.--The issuing authority shall  
18 forthwith notify the sheriff of the county in which the  
19 violation occurred, who shall store the impounded vehicle or  
20 combination. The sheriff's costs, reasonable storage costs and  
21 all other reasonable costs incident to impounding shall be  
22 recoverable in addition to costs of prosecution.

23 (c) Notice of impoundment.--The sheriff shall give immediate  
24 notice by the most expeditious means and by certified mail,  
25 return receipt requested, of the impoundment and location of the  
26 vehicle or combination to the owner of the vehicle or  
27 combination and to the owner of the load if the names and  
28 addresses of the owner are known or can be ascertained by the  
29 sheriff.

30 § 4947. Disposition of impounded vehicles and loads.

1 (a) Rights of owner of load.--The title to the load on an  
2 impounded vehicle or combination remains in the owner who may  
3 repossess the load at any time upon presentation of proof of  
4 ownership to the sheriff. If the load spoils during impoundment  
5 the loss shall be on the owner subject to any right of recovery  
6 of damages that the owner may have against the owner of the  
7 vehicle or combination or against any other party, and the costs  
8 of disposition of the load shall be recoverable in addition to  
9 the costs of prosecution.

10 (b) Sale of unclaimed vehicle or load.--In case any  
11 impounded vehicle or combination is unredeemed, or the load is  
12 unclaimed, for a period of 60 days after notice of impoundment  
13 is given, it shall be sold at a public sale by the sheriff upon  
14 order of the issuing authority and after ten days notice of sale  
15 to the owners, lienholders or secured parties of the vehicle or  
16 load except that if the sheriff determines it to be necessary to  
17 preserve their value, goods which may spoil may be sold in any  
18 commercially reasonable manner prior to expiration of the 60 day  
19 period and, if impractical to do so, without giving notice to  
20 the owners, lienholders or secured parties.

21 (c) Disposition of proceeds of sale.--The proceeds of sale  
22 shall first be applied to the payment of the fine and costs, and  
23 secondly, to the payment of the encumbrances. The balance shall  
24 be remitted to the owner.

25 § 4948. Maximum weight and seating capacity of buses.

26 (a) Gross, axle and wheel weights.--No bus shall be operated  
27 upon any highway with a gross weight in excess of 40,000 pounds,  
28 or in excess of 20,000 pounds on any axle, or in excess of 800  
29 pounds on any one wheel for each nominal inch of width of tire  
30 on the wheel.

(b) Seating capacity load.--A bus shall not be operated on a highway with a load exceeding by more than 25% its registered seating capacity except when operated within a business or residence district. A child under the age of six years shall not be counted when computing the load on the bus.

(c) Penalties.--Any person owning or operating a bus with a gross weight or with weight on any axle or wheel exceeding by more than 5% the maximum allowed in subsection (a) is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$100. If the excess weight is more than 10% above the maximum weight allowed, the fine shall be \$300. Any person in violation of subsection (b) is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$50 nor more than \$100.

#### SUBCHAPTER D

##### SPECIAL PERMITS FOR EXCESSIVE SIZE AND WEIGHT

Sec.

4961. Authority to issue permits.

4962. Conditions of permits and security for damages.

4963. Exemptions for vehicles used in State highway construction.

4964. Oral authorization following emergency or accident.

4965. Single permits for multiple highway crossings.

4966. Permit for movement of quarry equipment.

4967. Permit for movement of implements of husbandry.

4968. Permit for movement of equipment being manufactured.

§ 4961. Authority to issue permits.

(a) General rule.--The department and local authorities with respect to highways under their respective jurisdictions may, upon application in writing showing good cause, issue special

1 permits in writing authorizing the applicant to operate or move  
2 on specified highways a combination exceeding the maximum size  
3 specified in Subchapter B (relating to width, height and length)  
4 and the maximum weight specified in section 4941(a) (relating to  
5 maximum gross weight of vehicles) or authorizing the movement of  
6 a mobile home. Permits to exceed the maximum weight limit shall  
7 only be issued for truck-tractors registered at the maximum  
8 weight permitted under section 4941.

9 (b) County offices for issuing permits.--The department  
10 shall empower an authorized representative or employee in each  
11 county to issue permits as provided in subsection (a) and shall  
12 provide a place within each county where the permits may be  
13 issued.

14 § 4962. Conditions of permits and security for damages.

15 (a) General rule.--Permits may be conditioned by limiting  
16 the number of trips or by establishing seasonal or other time  
17 limitations or geographic limitations including limitations as  
18 to prescribed highways or by otherwise limiting or prescribing  
19 conditions of operation under the permit as the department or  
20 local authorities shall deem necessary to protect the safety of  
21 highway users, to promote the efficient movement of traffic or  
22 to protect the highways. The department or local authorities may  
23 require such undertaking or security as they deem necessary to  
24 compensate for any damage to any highway or structure or  
25 appurtenance.

26 (b) Display of permit.--Every permit shall be carried in the  
27 towing vehicle and shall be open to inspection by any police  
28 officer or authorized agent of the issuing agency or any person  
29 having an accident involving a permitted vehicle or combination.

30 (c) Revocation of permit.--A permit shall be revocable for



1 cause.

2 (d) Special escort services.--The department or local  
3 authorities shall specify what movements require special escort  
4 services of the Pennsylvania State Police or department  
5 personnel.

6 (e) Liability of permittee for damage.--The permittee shall  
7 be liable for all damage to any highway structure or  
8 appurtenance sustained as a result of operating or moving under  
9 the permit.

10 § 4963. Exemptions for vehicles used in State highway  
11 construction.

12 No special permit shall be required for movement across, upon  
13 or along State or State-aid highways for oversize or overweight  
14 vehicles of a contractor used for the construction or  
15 improvement of such highways.

16 § 4964. Oral authorization following emergency or accident.

17 In the event of an emergency or accident affecting the public  
18 safety or convenience, the department and local authorities may  
19 orally authorize the operation or movement of a combination  
20 which exceeds the maximum size or weight specified in this  
21 chapter provided a permit is applied for within 72 hours of the  
22 operation or movement.

23 § 4965. Single permits for multiple highway crossings.

24 A single permit may be issued for any fixed number of  
25 movements across the highway at specified locations of  
26 combinations exceeding the maximum size or weight specified in  
27 this chapter. Whenever a permit is issued for crossing the  
28 highway, it is unlawful to move the vehicles along the highway.

29 § 4966. Permit for movement of quarry equipment.

30 A permit may be issued for a period of one year for the

1 movement of a piece of quarry equipment or machinery exceeding  
2 the maximum size or weight specified in this chapter across any  
3 highway from one part of a quarry to another, or upon the  
4 highways connecting by the most direct route any quarries or  
5 portions of quarries under single ownership or operation, but no  
6 permit shall be issued for the movement of equipment or  
7 machinery for a distance greater than one-half mile.

8 § 4967. Permit for movement of implements of husbandry.

9 A permit may be issued for a period of not more than one year  
10 for the operation or movement between sunrise and sunset of one  
11 or more oversized implements of husbandry which do not exceed 14  
12 feet 6 inches in width if the movement is limited to a radius of  
13 ~~20~~ 25 miles from the dealer's place of business or owner's home <—  
14 or farm. No permit shall be issued for the movement of any  
15 implement of husbandry with a width in excess of eight feet upon  
16 a freeway.

17 § 4968. Permit for movement of equipment being manufactured.

18 A permit may be issued for a period of not more than one year  
19 authorizing the manufacturer of boats, house trailers,  
20 helicopters or other articles or combinations not normally used  
21 on highways to move articles which exceed the maximum height,  
22 width or length specified in Subchapter B (relating to width,  
23 height and length) while they are in the course of manufacture  
24 and while they are entirely within the control of the  
25 manufacturer and not in transit from the manufacturer to a  
26 purchaser or dealer. A permit shall not be issued for the  
27 movement of articles upon a freeway nor in excess of ten miles.

#### 28 SUBCHAPTER E

#### 29 MEASURING AND ADJUSTING VEHICLE SIZE AND WEIGHT

30 Sec.

1 4981. Weighing and measurement of vehicles.

2 4982. Reducing or readjusting loads of vehicles.

3 4983. Penalty for violation of subchapter.

4 § 4981. Weighing and measurement of vehicles.

5 (a) Authority of police officer.--Any police officer is  
6 authorized to require the driver of any vehicle or combination  
7 to stop and submit the vehicle or combination to be measured and  
8 weighed. Weighing may be done by using either portable or  
9 stationary scales. The measurement and weighing shall be  
10 conducted by qualified personnel who have been trained in the  
11 use of weighing and measuring equipment in a training program  
12 approved by the department. A police officer may require that a  
13 vehicle or combination be driven to the nearest stationary  
14 scales if the scales are within two miles.

15 (b) Stationary scales on freeways.--The department, in  
16 cooperation with the Pennsylvania State Police, shall maintain  
17 on freeways at points which it deems necessary stationary scales  
18 and other equipment for detecting violations of the size and  
19 weight limitations prescribed by this chapter.

20 (c) Weighing of wheels or axles.--If a vehicle is weighed in  
21 multiple drafts, or if only a single wheel or axle or pair of  
22 axles is weighed, a tolerance of 1% shall be allowed.

23 (d) Re-weighing at request of driver or owner.--Whenever  
24 scales operated by other than the department indicate that a  
25 vehicle, wheel, axle or pair of axles is overweight, the driver  
26 or owner may elect to have the vehicle re-weighed on the nearest  
27 available official scales which have been sealed by the State  
28 Bureau of Standard Weights and Measures. The lower reading of  
29 the two scales shall determine whether charges shall be filed  
30 under this section.

1 § 4982. Reducing or readjusting loads of vehicles.

2 (a) Violation of weight limitations.--If the gross weight or  
3 the weight upon any wheel, tire, axle or group of axles of a  
4 vehicle or combination exceeds the maximum allowed, the driver  
5 shall reduce or readjust the load so that the gross weight and  
6 the weight upon each wheel, tire, axle or group of axles will  
7 not exceed the maximum weights permitted under this chapter.

8 (b) Violation of size limitations.--If the load upon any  
9 vehicle or combination is such that the size limitations of this  
10 chapter are exceeded, the driver shall reduce or reposition the  
11 load so that it does not exceed the size limitations.

12 (c) Load adjustment to avoid prosecution.--If the gross  
13 weight of the vehicle or combination does not exceed the maximum  
14 allowable gross weight and the weight upon any axle or group of  
15 axles is not more than 3% in excess of the maximum allowable  
16 axle weight, the operator shall be allowed four hours to adjust  
17 the position of the load so that the weight upon all wheels,  
18 tires, axles and groups of axles does not exceed the maximum  
19 allowable weights. If the load is so rearranged no arrest shall  
20 be made or prosecution brought for violation of Subchapter C  
21 (relating to maximum weights of vehicles).

22 (d) Load incapable of reduction.--If the load on any vehicle  
23 or combination is such that it is incapable of reduction or  
24 dismemberment and is otherwise eligible to move under permit as  
25 provided in Subchapter D (relating to special permits for  
26 excessive size and weight), a valid permit shall be obtained  
27 before any further movement of a vehicle or combination in  
28 violation of the limitations of this chapter.

29 (e) Responsibility of owner or driver.--All material  
30 unloaded and any vehicle or combination parked awaiting a permit

1 shall be cared for by the owner or driver at the risk of the  
2 owner or driver.

3 § 4983. Penalty for violation of subchapter.

4 Any driver who fails or refuses to comply with the  
5 requirements of a police officer given pursuant to this  
6 subchapter is guilty of a summary offense and shall, upon  
7 conviction, be sentenced to pay a fine of \$100.

8 PART V

9 ADMINISTRATION AND ENFORCEMENT

10 Chapter

11 61. Powers of Department and Local Authorities

12 63. Enforcement.

13 65. Penalties and Disposition of Fines

14 67. Service of Process on Nonresidents

15 CHAPTER 61

16 POWERS OF DEPARTMENT AND LOCAL AUTHORITIES

17 Subchapter

18 A. General Provisions

19 B. Traffic-control Devices

20 C. Reciprocity

21 SUBCHAPTER A

22 GENERAL PROVISIONS

23 Sec.

24 6101. Applicability and uniformity of title.

25 6102. Powers and duties of department and local authorities.

26 6103. Promulgation of rules and regulations by department.

27 6104. Administrative duties of department.

28 6105. Department to prescribe traffic and engineering  
29 investigations.

30 6106. Designation of emergency vehicles by department.

1 6107. Designation of authorized vehicles by department.  
2 6108. Power of Governor during emergency.  
3 6109. Specific powers of department and local authorities.  
4 6110. Regulation of traffic on Pennsylvania Turnpike.  
5 6111. Regulation of traffic on bridges under authority of  
6 interstate commissions.  
7 6112. Removal of traffic hazards by property owner.  
8 6113. Control of public travel on private property by owner.  
9 6114. LIMITATION ON SALE, PUBLICATION AND DISCLOSURE OF  
10 RECORDS. <—

11 § 6101. Applicability and uniformity of title.

12 The provisions of this title shall be applicable and uniform  
13 throughout this Commonwealth and in all political subdivisions  
14 in this Commonwealth, and no local authority shall enact or  
15 enforce any ordinance on a matter covered by the provisions of  
16 this title unless expressly authorized.

17 § 6102. Powers and duties of department and local authorities.

18 (a) Department.--The department is charged with the duty of  
19 administering the provisions of this title and of all laws the  
20 administration of which is now or hereafter vested in the  
21 department.

22 (b) Local authorities.--Local authorities may exercise the  
23 powers granted in this chapter only by duly enacted ordinances  
24 of their governing bodies.

25 § 6103. Promulgation of rules and regulations by department.

26 In addition to the specific powers granted to the department  
27 by this title to promulgate rules and regulations, the  
28 department shall have the power in accordance with the  
29 provisions of the act of July 31, 1968 (P.L.769, No.240), known  
30 as the "Commonwealth Documents Law," to promulgate, consistent

1 with and in furtherance of this title, rules and regulations in  
2 accordance with which the department shall carry out its  
3 responsibilities and duties under this title.

4 § 6104. Administrative duties of department.

5 (a) Forms.--The department shall prescribe and provide  
6 suitable forms of applications, certificates of title,  
7 registration cards, drivers' licenses and all other forms  
8 requisite or deemed necessary to carry out the provisions of  
9 this title and any other laws the administration of which is  
10 vested in the department.

11 (b) Review of applications.--The department shall examine  
12 and determine the genuineness, regularity and legality of every  
13 application for registration of a vehicle, for a certificate of  
14 title, and for a driver's license and of any other application  
15 lawfully made to the department, and may in all cases make  
16 investigation as may be deemed necessary or require additional  
17 information, and shall reject any application if not satisfied  
18 of the genuineness, regularity or legality of the application or  
19 the truth of any statement contained in the application, or for  
20 any other reason when authorized by law.

21 (c) Investigations.--The department may make necessary and  
22 reasonable investigations to procure information required to  
23 ~~carry out~~ ENFORCE the provisions of this title AND DEPARTMENT  
24 REGULATIONS. <—

25 (D) RETENTION OF RECORDS.--THE DEPARTMENT SHALL PROMULGATE  
26 RULES SETTING FORTH THE MINIMUM AMOUNT OF TIME THAT MUST ELAPSE  
27 BEFORE THE DEPARTMENT MAY DESTROY RECORDS ACQUIRED, ESTABLISHED  
28 OR MAINTAINED UNDER THIS TITLE.

29 § 6105. Department to prescribe traffic and engineering  
30 investigations.

1       The department may establish by regulation the manner in  
2       which traffic and engineering investigations shall be carried  
3       out. The department may specify particular actions which require  
4       traffic and engineering investigations. No action shall become  
5       effective until the investigation has been properly completed.

6       § 6106. Designation of emergency vehicles by department.

7       (a) General rule.--The department may designate any vehicle  
8       or group of vehicles as emergency vehicles upon a finding that  
9       the designation is necessary to the preservation of life or  
10      property or to the execution of emergency governmental  
11      functions.

12      (b) Manner and carrying of designation.--The designation  
13      shall be in writing and the written designation shall be carried  
14      in the vehicle at all times, but failure to carry the written  
15      designation shall not affect the status of the vehicle as an  
16      emergency vehicle.

17      § 6107. Designation of authorized vehicles by department.

18      The department may designate any vehicle or group of vehicles  
19      as authorized vehicles upon a finding that the vehicle is used  
20      in the performance of public service or governmental functions.  
21      Duly authorized vehicles shall be exempted from certain  
22      provisions of this title as specified in regulations promulgated  
23      by the department.

24      § 6108. Power of Governor during emergency.

25      In the event of a declared National, State or local emergency  
26      when the Governor of this Commonwealth has made a specific  
27      determination that modification of any of the provisions of this  
28      title will aid in the alleviation of the stated emergency  
29      conditions, the Governor shall have the power to so alter the  
30      provisions on any or all highways in this Commonwealth to be



1 effective at any or all hours of the day or night with respect  
2 to any or all types or classes of vehicles.

3 § 6109. Specific powers of department and local authorities.

4 (a) Enumeration of police powers.--The provisions of this  
5 title shall not be deemed to prevent the department on State-  
6 designated highways and local authorities on streets or highways  
7 within their physical boundaries from the reasonable exercise of  
8 their police powers. The following are presumed to be reasonable  
9 exercises of police power:

10 (1) Regulating or prohibiting stopping, standing or  
11 parking.

12 (2) Regulating traffic by means of police officers or  
13 official traffic-control devices.

14 (3) Regulating or prohibiting processions or assemblages  
15 on highways.

16 (4) Designating particular highways or roadways for use  
17 by traffic moving in one direction as authorized in section  
18 3308 (relating to one-way roadways and rotary traffic  
19 islands).

20 (5) Establishing speed limits for vehicles in public  
21 parks.

22 (6) Designating any highway as a through highway or  
23 designating any intersection or junction of roadways as a  
24 stop or yield intersection or junction.

25 (7) Prohibiting or restricting the use of highways at  
26 particular places or by particular classes of vehicles  
27 whenever the highway or portion of the highway may be  
28 seriously damaged by the use or the movement of the vehicles  
29 would constitute a safety hazard.

30 (8) Regulating the operation of bicycles and requiring

1 their registration and inspection, and the payment of a  
2 reasonable registration fee.

3 (9) Regulating or prohibiting the turning of vehicles or  
4 specified types of vehicles as authorized in section 3331  
5 (relating to required position and method of turning).

6 (10) Altering or establishing speed limits as authorized  
7 in Subchapter F of Chapter 33 (relating to speed  
8 restrictions).

9 (11) Designating no-passing zones as authorized in  
10 section 3307 (relating to no-passing zones).

11 (12) Prohibiting or regulating the use of designated  
12 streets by any class or kind of traffic.

13 (13) Establishing minimum speed limits as authorized in  
14 section 3365 (relating to minimum speed regulation).

15 (14) Regulating and temporarily prohibiting traffic on  
16 streets closed or restricted for construction, maintenance or  
17 special events.

18 (15) Prohibiting pedestrians from crossing a roadway in  
19 a business district or any designated highway except in a  
20 crosswalk.

21 (16) Restricting pedestrian crossings at unmarked  
22 crosswalks.

23 (17) Regulating persons propelling push carts.

24 (18) Regulating persons upon skates, coasters, sleds and  
25 other toy vehicles.

26 (19) Adopting and enforcing such temporary or  
27 experimental regulations as may be necessary to cover  
28 emergencies or special conditions.

29 (20) Regulating the operation of streetcars, the passing  
30 of streetcars by other vehicles and the driving upon

1 streetcar tracks by other vehicles.

2 (21) Providing for and establishing procedures governing  
3 the removal and impounding of any vehicle parked on the  
4 highways or public property of the local authority in  
5 violation of any local ordinance adopted pursuant to the  
6 authority of this title or of any of the provisions of this  
7 title.

8 (22) Adopting such other traffic regulations as are  
9 specifically authorized by this title.

10 (b) Action by local authorities.--Action taken by local  
11 authorities under this section shall be:

12 (1) by ordinance of the local governing body; or

13 (2) by a commission or public official authorized to act  
14 on specified matters.

15 (c) When traffic-control devices required.--No regulation or  
16 ordinance enacted under subsection (a)(1), (4), (5), (6), (7),  
17 (9), (10), (11), (12), (13), (14), (15), (16) or (21) shall be  
18 effective until official traffic-control devices giving notice  
19 of the traffic regulations or ordinances are erected upon or at  
20 the entrances to the highway or part thereof affected as may be  
21 most appropriate.

22 (d) Prior approval by department.--Notwithstanding the  
23 provisions of subsection (a), the department may require local  
24 authorities to obtain department approval in advance of  
25 regulating traffic on State-designated highways within their  
26 physical boundaries.

27 (e) Engineering and traffic investigation required.--Action  
28 by local authorities under this section shall be taken only  
29 after completing an engineering and traffic investigation when  
30 and in such manner as required by regulations promulgated by the

1 department.

2 § 6110. Regulation of traffic on Pennsylvania Turnpike.

3 (a) General rule.--The provisions of this title apply upon  
4 any turnpike or highway under the supervision and control of the  
5 Pennsylvania Turnpike Commission unless specifically modified by  
6 rules and regulations promulgated by the commission which shall  
7 become effective only upon publication in accordance with law. A  
8 copy of the rules and regulations, so long as they are  
9 effective, shall be posted at all entrances to the turnpike or  
10 highway for the inspection of persons using the turnpike or  
11 highway. This section does not authorize the establishment of a  
12 maximum speed limit greater than 55 miles per hour.

13 (b) Penalty.--Any person violating any of the rules and  
14 regulations of the Pennsylvania Turnpike Commission for which no  
15 penalty has otherwise been provided by statute is guilty of a  
16 summary offense and shall, upon conviction, be sentenced to pay  
17 a fine of \$25.

18 § 6111. Regulation of traffic on bridges under authority of  
19 interstate commissions.

20 (a) General rule.--The provisions of this title apply to any  
21 bridge under the supervision and control of the Delaware River  
22 Joint Toll Bridge Commission, the Delaware River Port Authority  
23 and the New York-Pennsylvania Joint Commission on Bridges over  
24 the Delaware River unless specifically modified by rules and  
25 regulations which shall become effective only upon publication  
26 in accordance with law. Rules and regulations, so long as they  
27 are effective, shall be posted at all entrances to the bridges.

28 (b) Penalty.--Any person violating any of the rules and  
29 regulations of the Delaware River Joint Toll Bridge Commission,  
30 the Delaware River Port Authority or the New York-Pennsylvania

1 Joint Commission on Bridges over the Delaware River for which no  
2 penalty has otherwise been provided by statute is guilty of a  
3 summary offense and shall, upon conviction, be sentenced to pay  
4 a fine of \$25.

5 § 6112. Removal of traffic hazards by property owner.

6 (a) General rule.--It is the duty of the owner of real  
7 property to remove from the property any tree, plant, shrub or  
8 other similar obstruction, or part thereof, which by obstructing  
9 the view of any driver constitutes a traffic hazard.

10 (b) Notice of hazard.--When the department or any local  
11 authority determines on the basis of an engineering and traffic  
12 investigation that a traffic hazard exists, it shall notify the  
13 owner and order the hazard removed within ten days.

14 (c) Penalty.--The failure of the owner to remove the traffic  
15 hazard within ten days after notice under subsection (b) is a  
16 summary offense and every day the owner fails to remove it shall  
17 be a separate and distinct offense. The offense is punishable by  
18 a fine of not less than \$5 nor more than \$25.

19 § 6113. Control of public travel on private property by owner.

20 Nothing in this title shall be construed to prevent the owner  
21 of real property used by the public for purposes of vehicular  
22 travel by permission of the owner, and not as a matter of right,  
23 from prohibiting such use, or from requiring other or different  
24 or additional conditions than those specified in this title, or  
25 otherwise regulating such use as may seem best to such owner.

26 § 6114. LIMITATION ON SALE, PUBLICATION AND DISCLOSURE OF  
27 RECORDS.

28 (A) OFFENSES DEFINED.--IT IS UNLAWFUL FOR:

29 (1) ANY POLICE OFFICER, OR ANY OFFICER, EMPLOYEE OR  
30 AGENT OF ANY COMMONWEALTH AGENCY OR LOCAL AUTHORITY WHICH

1 MAKES OR RECEIVES RECORDS OR REPORTS REQUIRED TO BE FILED  
2 UNDER THIS TITLE TO SELL, PUBLISH OR DISCLOSE OR OFFER TO  
3 SELL, PUBLISH OR DISCLOSE RECORDS OR REPORTS WHICH RELATE TO  
4 THE DRIVING RECORD OF ANY PERSON.

5 (2) ANY PERSON TO PURCHASE, SECURE OR PROCURE OR OFFER  
6 TO PURCHASE, SECURE OR PROCURE RECORDS OR REPORTS DESCRIBED  
7 IN PARAGRAPH (1).

8 (B) EXCEPTIONS.--THIS SECTION DOES NOT APPLY TO RECORDS OR  
9 REPORTS:

10 (1) REQUIRED OR AUTHORIZED UNDER THIS TITLE TO BE SOLD,  
11 PUBLISHED OR DISCLOSED.

12 (2) AUTHORIZED IN WRITING BY THE PERSON WHO IS THE  
13 SUBJECT OF THE RECORD OR REPORT TO BE SOLD, PUBLISHED OR  
14 DISCLOSED.

15 (3) REQUIRED TO BE RELEASED BY ORDER OF COURT.

16 (4) USED IN ANY CRIMINAL INVESTIGATION BY A GRAND JURY  
17 OR DISTRICT ATTORNEY.

18 (5) USED BY A POLICE OFFICER IN THE PERFORMANCE OF HIS  
19 LAWFUL DUTIES UNDER WRITTEN AUTHORIZATION FROM THE HEAD OF  
20 THE POLICE DEPARTMENT OR POLICE FORCE.

21 (C) GRADING.--ANY OFFENSE UNDER THIS SECTION IS A  
22 MISDEMEANOR OF THE THIRD DEGREE.

## 23 SUBCHAPTER B

### 24 TRAFFIC-CONTROL DEVICES

25 Sec.

26 6121. Uniform system of traffic-control devices.

27 6122. Authority to erect traffic-control devices.

28 6123. Erection of traffic-control devices while working.

29 6124. Erection of traffic-control devices at intersections.

30 6125. Display of unauthorized signs, signals or markings.

1 6126. Interference with devices, signs or signals.

2 6127. Dealing in nonconforming traffic-control devices.

3 § 6121. Uniform system of traffic-control devices.

4 The department shall publish a manual for a uniform system of  
5 traffic-control devices consistent with the provisions of this  
6 title for use upon highways within this Commonwealth. The  
7 uniform system shall correlate with and so far as possible  
8 conform to the system set forth in the most recent edition of  
9 the Manual on Uniform Traffic Control Devices for Streets and  
10 Highways and other standards issued or endorsed by the Federal  
11 Highway Administrator, United States Department of  
12 Transportation.

13 § 6122. Authority to erect traffic-control devices.

14 (a) General rule.--The department on State-designated  
15 highways and local authorities on any highway within their  
16 boundaries may erect official traffic-control devices, which  
17 shall be installed and maintained in conformance with the manual  
18 and regulations published by the department upon all highways as  
19 required to carry out the provisions of this title or to  
20 regulate, restrict, direct, warn, prohibit or guide traffic.  
21 Except where department regulations provide otherwise, local  
22 authorities shall obtain approval of the department prior to  
23 erecting an official traffic-control device on a State-  
24 designated highway. ~~Prior~~ EXCEPT IN A CITY WITH A FULL-TIME  
25 TRAFFIC ENGINEER, approval of the department shall also be  
26 required for erection of any traffic signal.

27 (b) Standards for department approval.--The department shall  
28 promulgate rules and regulations setting forth minimum standards  
29 and factors to be considered in determining whether approval  
30 shall be given by the department for the installation and

1 maintenance of official traffic-control devices. The factors  
2 shall include, but not be limited to, the volume of traffic and  
3 the number of accidents that occurred in each of the three  
4 preceding years.

5 (c) Agreements to waive department approval.--The department  
6 may enter into agreements with local authorities transferring to  
7 them the authority to install official traffic-control devices  
8 without specific State approval provided they conduct traffic  
9 and engineering investigations which conform with the rules and  
10 regulations promulgated by the department.

11 (d) Signals on municipal boundaries.--Whenever the need  
12 arises for the installation of a traffic-control signal on or  
13 near the boundary of two political subdivisions adjoining each  
14 other so as to be beneficial to both, either may petition the  
15 department for authority to install the signal. If the political  
16 subdivisions cannot amicably agree upon an allocation of the  
17 costs of installation and maintenance of the signal, either may  
18 petition the court of common pleas of the county in which the  
19 traffic-control signal is to be installed within 90 days after  
20 receiving the approval of the department and the court shall  
21 determine the proper allocation of the expenses to be incurred.  
22 The political subdivision that originated the request to the  
23 department shall install the traffic-control signal within 90  
24 days of the date of the court order or of an amicable agreement  
25 between the political subdivisions.

26 § 6123. Erection of traffic-control devices while working.

27 Any person performing any work on or near the roadway which  
28 may create hazards shall erect traffic-control devices in  
29 accordance with the rules and regulations of the department for  
30 the maintenance and protection of traffic.



1 § 6124. Erection of traffic-control devices at intersections.

2 The department on State-designated highways, including  
3 intersections with local highways, and local authorities on  
4 intersections of highways under their jurisdiction may erect and  
5 maintain stop signs, yield signs or other official traffic-  
6 control devices to designate through highways or to designate  
7 intersections at which vehicular traffic on one or more of the  
8 roadways should yield or stop and yield before entering the  
9 intersection.

10 § 6125. Display of unauthorized signs, signals or markings.

11 (a) General rule.--No person shall place, maintain or  
12 display upon or in view of any highway any unauthorized sign,  
13 signal, marking or device which purports to be or is an  
14 imitation of or resembles an official traffic-control device or  
15 which attempts to direct the movement of traffic, or which hides  
16 from view or interferes with the effectiveness of an official  
17 traffic-control device.

18 (b) Commercial advertising on signs or signals.--No person  
19 shall place or maintain nor shall any public authority permit  
20 upon any highway any ~~traffic sign or signal~~ OFFICIAL TRAFFIC- <—  
21 CONTROL DEVICE containing any commercial advertising EXCEPT FOR <—  
22 BUSINESS SIGNS INCLUDED AS A PART OF OFFICIAL MOTORIST SERVICE  
23 PANELS OR ROADSIDE AREA INFORMATION PANELS APPROVED BY THE  
24 DEPARTMENT.

25 (c) Removal as public nuisance.--Every prohibited sign,  
26 signal or marking is declared to be a public nuisance and the  
27 authority having jurisdiction over the highway may remove the  
28 same or cause it to be removed immediately at the reasonable  
29 expense of the person placing, maintaining or displaying the  
30 sign, signal or marking.

1 § 6126. Interference with devices, signs or signals.

2 No person shall, without lawful authority, attempt to or in  
3 fact, alter, TWIST, obstruct, deface, injure, knock down ~~or~~, <—  
4 remove OR INTERFERE WITH THE EFFECTIVE OPERATION OF any official <—  
5 traffic-control device, or any railroad sign or signal, or any  
6 inscription, shield or insignia thereon or any other part  
7 thereof.

8 § 6127. Dealing in nonconforming traffic-control devices.

9 (a) General rule.--It is unlawful for any person to  
10 manufacture, sell, offer for sale or to lease for use on the  
11 highway any traffic-control device unless it has been approved  
12 and is in accordance with department rules and regulations.

13 (b) Penalty.--Any person violating this section is guilty of  
14 a summary offense and shall, upon conviction, be sentenced to  
15 pay a fine of not less than \$100 nor more than \$500.

16 SUBCHAPTER C

17 RECIPROCITY

18 Sec.

19 6141. Declaration of policy.

20 6142. Reciprocity agreements, arrangements and declarations  
21 authorized.

22 6143. Benefits, privileges and exemptions from taxes and fees.

23 6144. Vehicle registration and licensing.

24 6145. Proportional registration of fleet vehicles.

25 6146. Enforcement agreements.

26 6147. Declaration of reciprocity in absence of agreement.

27 6148. Applicability to leased vehicles.

28 6149. Automatic reciprocity.

29 6150. Proportional registration not exclusive.

1 6151. Suspension of reciprocity benefits.

2 6152. Form, publication and distribution of documents.

3 6153. Existing reciprocity agreements unaffected.

4 § 6141. Declaration of policy.

5 It is the policy of this Commonwealth to promote and  
6 encourage the fullest possible use of its highway system by  
7 authorizing the making and execution of reciprocal agreements,  
8 arrangements and declarations with other states, provinces,  
9 territories and countries with respect to drivers, licensed and  
10 vehicles registered in this and other states, provinces,  
11 territories and countries, thus contributing to the economic and  
12 social development and growth of this Commonwealth.

13 § 6142. Reciprocity agreements, arrangements and declarations  
14 authorized.

15 The secretary may execute or make agreements, arrangements  
16 and declarations to carry out the provisions of this section and  
17 may amend and terminate the agreements, arrangements and  
18 declarations.

19 § 6143. Benefits, privileges and exemptions from taxes and  
20 fees.

21 The secretary may enter into an agreement or arrangement with  
22 the duly authorized representatives of other jurisdictions,  
23 granting to drivers or vehicles or owners of vehicles properly  
24 licensed or registered in those jurisdictions, and for which  
25 evidence of compliance is supplied, benefits, privileges and  
26 exemptions from the payment, wholly or partially, of any taxes,  
27 fees or other charges imposed upon the drivers, vehicles or  
28 owners with respect to the operation or ownership of the  
29 vehicles under the laws of this Commonwealth. The agreement or  
30 arrangement shall provide that drivers or vehicles properly

1 licensed or registered in this Commonwealth, when operating upon  
2 highways of the other jurisdiction, shall receive exemptions,  
3 benefits and privileges of a similar kind or to a similar degree  
4 as are extended to drivers or vehicles properly licensed or  
5 registered in the jurisdiction when operating in this  
6 Commonwealth. Each agreement or arrangement shall, in the  
7 judgment of the secretary, be in the best interest of this  
8 Commonwealth and the citizens thereof and shall be fair and  
9 equitable to this Commonwealth and the citizens thereof, and  
10 shall be determined on the basis and recognition of the benefits  
11 which accrue to the economy of this Commonwealth from the  
12 uninterrupted flow of commerce.

13 § 6144. Vehicle registration and licensing.

14 An agreement or arrangement entered into, or a declaration  
15 issued, under this subchapter may contain provisions authorizing  
16 the registration or licensing in another jurisdiction of  
17 vehicles located in or operated from a base in the other  
18 jurisdiction which vehicles otherwise would be required to be  
19 registered or licensed in this Commonwealth. In such event, the  
20 exemptions, benefits and privileges extended by the agreement or  
21 declaration shall apply to the vehicles when properly licensed  
22 or registered in the base jurisdiction.

23 § 6145. Proportional registration of fleet vehicles.

24 If any jurisdiction permits or requires the licensing of  
25 fleets of vehicles in interstate or combined interstate and  
26 intrastate commerce and payment of registration fees, license  
27 taxes or other fixed fees on an apportionment basis commensurate  
28 with and determined by the miles traveled on and the use made of  
29 the jurisdiction's highways, as compared with the miles traveled  
30 on and the use made of another jurisdiction's highways or any

1 other equitable basis of apportionment, and exempts vehicles  
2 registered in other jurisdictions under such apportionment basis  
3 from the requirements of full payment of its own registration,  
4 license or other fixed fees, then the secretary may, by  
5 agreement, adopt the exemption with respect to vehicles of such  
6 fleets, whether owned by residents or nonresidents of this  
7 Commonwealth and regardless of where based. The agreements,  
8 under such terms, conditions or restrictions as the secretary  
9 deems proper, may provide that owners of vehicles operated in  
10 interstate or combined interstate and intrastate commerce in  
11 this Commonwealth shall be permitted to pay registration,  
12 license or other fixed fees on an apportionment basis,  
13 commensurate with and determined by the miles traveled or the  
14 use made of the highways of this Commonwealth as compared with  
15 the use made of the highways of other jurisdictions or any other  
16 equitable basis of apportionment. No agreement shall authorize,  
17 or be construed as authorizing, any vehicle so registered to be  
18 operated in intrastate commerce in this Commonwealth unless the  
19 owner has been granted intrastate authority or rights by the  
20 Pennsylvania Public Utility Commission if such grant is  
21 otherwise required by law. The secretary may adopt and  
22 promulgate such rules and regulations as deemed necessary to  
23 effectuate and administer the provisions of this section, and  
24 the registration of fleet vehicles under this subchapter shall  
25 be subject to the rights, terms and conditions granted by or  
26 contained in any applicable agreement, arrangement or  
27 declaration made by the secretary.

28 § 6146. Enforcement agreements.

29 The secretary may enter into agreements relating to  
30 enforcement of this title including, but not limited to,

1 agreements to notify any state of violations incurred by  
2 residents of that state and to take measures to assure payment  
3 of fines or attendance at hearings by persons charged with  
4 violations.

5 § 6147. Declaration of reciprocity in absence of agreement.

6 In the absence of an agreement or arrangement with another  
7 jurisdiction, the secretary may examine the laws and  
8 requirements of such jurisdiction and declare the extent and  
9 nature of exemptions, benefits and privileges to be extended to  
10 vehicles properly registered or licensed in the other  
11 jurisdiction, or to the owners of the vehicles, which shall, in  
12 the judgment of the secretary, be in the best interest of this  
13 Commonwealth and the citizens thereof, and which shall be fair  
14 and equitable to this Commonwealth and the citizens thereof, and  
15 shall be determined on the basis and recognition of the benefits  
16 which accrue to the economy of this Commonwealth from the  
17 uninterrupted flow of commerce.

18 § 6148. Applicability to leased vehicles.

19 An agreement or arrangement entered into, or a declaration  
20 issued, under the authority of this subchapter may contain  
21 provisions under which a leased vehicle properly registered by  
22 the lessor may be entitled, subject to terms and conditions  
23 stated therein, to the exemptions, benefits and privileges  
24 extended by such agreement, arrangement or declaration.

25 § 6149. Automatic reciprocity.

26 If no agreement, arrangement or declaration is in effect with  
27 respect to another jurisdiction as authorized by this  
28 subchapter, any vehicle properly registered or licensed in the  
29 other jurisdiction, and for which evidence of compliance is  
30 supplied, shall receive, when operated in this Commonwealth, the

1 same exemptions, benefits and privileges granted by the other  
2 jurisdiction to vehicles properly registered in this  
3 Commonwealth.

4 § 6150. Proportional registration not exclusive.

5 Nothing contained in this subchapter relating to proportional  
6 registration of fleet vehicles shall be construed as requiring  
7 any vehicle to be proportionally registered if the vehicle is  
8 otherwise registered in this Commonwealth for the operation in  
9 which it is engaged including, but not by way of limitation,  
10 regular registration, temporary registration, or trip permit or  
11 registration.

12 § 6151. Suspension of reciprocity benefits.

13 Agreements, arrangements or declarations made under authority  
14 of this subchapter may include provisions authorizing the  
15 department to suspend or cancel the exemptions, benefits or  
16 privileges granted to a person who violates any of the  
17 conditions or terms of such agreements, arrangements or  
18 declarations or who violates the laws or regulations of this  
19 Commonwealth related to motor vehicles.

20 § 6152. Form, publication and distribution of documents.

21 All agreements, arrangements and declarations, and amendments  
22 thereto, shall be in writing and shall be published in  
23 compliance with the act of July 31, 1968 (P.L.769, No.240),  
24 known as the "Commonwealth Documents Law." The department shall  
25 provide copies for public distribution upon request.

26 § 6153. Existing reciprocity agreements unaffected.

27 All reciprocity and proportional registration agreements,  
28 arrangements and declarations relating to vehicles, in force and  
29 effect at the time this subchapter becomes effective, shall  
30 continue in full force and effect until specifically amended or





1 violations.

2 § 6302. Limitation of actions for summary offenses.

3 (a) General rule.--Except as provided in subsection (b),  
4 proceedings for summary offenses under this title shall be  
5 instituted within 30 days after the commission of the alleged  
6 offense or within 30 days after the discovery of the commission  
7 of the offense or the identity of the offender, whichever is  
8 later, and not thereafter.

9 (b) Exception.--Where proceedings are timely instituted  
10 against a person reasonably believed to have committed the  
11 offense charged and it subsequently appears that a person other  
12 than the person charged is the offender, proceedings may be  
13 instituted against the other person within 30 days after the  
14 identity of the person is discovered and not thereafter.

15 (c) Local ordinances on overtime parking.--Local ordinances  
16 pertaining to overtime parking shall be subject to the  
17 provisions of this section.

18 § 6303. Rights and liabilities of minors.

19 Any person over the age of 16 years charged with the  
20 violation of any provisions of this title constituting a summary  
21 offense shall have all the rights of an adult and may be  
22 prosecuted under the provisions of this title in the same manner  
23 as an adult.

24 § 6304. Disposition of license upon violation by licensee.

25 (a) Surrender to prosecuting officer.--If a licensee is  
26 charged by a police officer with any violation of this title,  
27 except overtime parking, upon the demand of the police officer  
28 the licensee shall surrender the license to the police officer.  
29 The police officer shall give the licensee a receipt for the  
30 license which shall entitle the licensee to drive for a period

1 not exceeding 60 days.

2 (b) Disposition by issuing authority.--The police officer  
3 shall give the license to the issuing authority with whom the  
4 charge is filed, and the issuing authority shall return the  
5 license to the licensee when the licensee pays the fine upon a  
6 plea of guilty or appears or posts bond for a hearing upon a  
7 plea of not guilty.

8 (c) Renewal pending proceedings.--If the license is  
9 scheduled for renewal within 90 days, the police officer shall  
10 notify the department not to renew the license until further  
11 notified by the issuing authority that the licensee has paid the  
12 fine or appeared or posted bond for a hearing. If a licensee  
13 fails to pay the fine or appear or post bond for a hearing, the  
14 issuing authority shall so notify the department and the  
15 department shall not renew the driver's license until the  
16 licensee pays the fine or appears or posts bond for a hearing.  
17 The department may also suspend the operating privilege as  
18 provided in section 1533 (relating to suspension of operating  
19 privilege for failure to respond to citation).

20 § 6305. Arrest of nonresident.

21 (a) General rule.--Upon arrest of a nonresident for any  
22 violation of this title, a police officer shall escort the  
23 defendant to the appropriate issuing authority for a hearing,  
24 posting of bond or payment of the applicable fine and costs,  
25 unless the defendant chooses to place the amount of the  
26 applicable fine (or the maximum fine in the case of a variable  
27 fine) and costs in a stamped envelope addressed to the  
28 appropriate issuing authority and mails the envelope in the  
29 presence of the police officer.

30 (b) Procedure upon payment by mail.--If the defendant mails

1 the amount of the fine prescribed in subsection (a), the  
2 defendant shall indicate on an accompanying form whether the  
3 payment constitutes a fine based on a plea of guilty or a bond  
4 for a hearing based on a plea of not guilty. If the plea is not  
5 guilty, the police officer shall notify the issuing authority by  
6 telephone and the issuing authority shall schedule a hearing for  
7 the following day (excluding Saturdays, Sundays and legal  
8 holidays), unless the defendant requests a continuance, in which  
9 case a hearing shall be scheduled to accommodate the defendant,  
10 the police officer and the issuing authority.

11 (c) Form of payment.--The amount of the fine and costs may  
12 be paid in cash, personal or other check, credit card or  
13 guaranteed arrest bond, except that the Court Administrator of  
14 Pennsylvania may enlarge or restrict the types of payment which  
15 may be made by mail.

16 (d) Receipt for payment.--The police officer shall give the  
17 defendant a receipt for the payment, a copy of which shall be  
18 mailed with the payment and a copy retained by the police  
19 officer.

20 § 6306. Costs for summary offenses.

21 (a) General rule.--Except as provided in subsection (b), any  
22 person convicted of a summary offense under this title shall, in  
23 addition to the fine imposed, be sentenced to pay ~~\$5~~ \$10 as <—  
24 costs of the issuing authority which costs shall include all  
25 charges including, when called for, the costs of postage and  
26 registered or certified mail and the costs of giving a  
27 transcript to the prosecutor or defendant, or both, if  
28 requested.

29 (b) Conviction after hearing.--~~Except in cities of the first~~ <—  
30 ~~class, where~~ WHERE the person charged with a summary offense <—

1 under this title demands a hearing, the costs of the issuing  
2 authority shall be ~~\$10~~ \$15, which costs shall include all  
3 charges including the charges specified in subsection (a).

4 § 6307. Liability for costs not paid by defendant.

5 In any case of prosecution under the provisions of this title  
6 in which the defendant is found not guilty or for any other  
7 reason costs are not recovered from the defendant, all costs of  
8 prosecution shall be paid by the county.

9 § 6308. Investigation by police officers.

10 (a) Duty of operator or pedestrian.--The operator of any  
11 vehicle or ANY pedestrian ~~charged with a violation of~~ REASONABLY  
12 BELIEVED TO HAVE VIOLATED any provision of this title  
13 ~~constituting a summary offense~~ shall stop upon request or signal  
14 of any police officer and shall, upon request, exhibit a  
15 registration card, driver's license AND proof of insurance, or  
16 other means of identification if a pedestrian or driver of a  
17 bicycle, and shall write their name in the presence of the  
18 police officer if so required for the purpose of establishing  
19 identity.

20 (b) Authority of police officer.--Any police officer may  
21 stop a vehicle, upon request or signal, for the purpose of  
22 inspecting the vehicle as to its equipment and operation, or  
23 vehicle identification number or engine number, or to secure  
24 such other information as the officer may believe to be  
25 necessary.

26 (c) Inspection of garages and dealer premises.--Any police  
27 officer or authorized department employee may inspect any  
28 vehicle in any public garage or repair shop or on the premises  
29 of any dealer for the purpose of locating stolen vehicles. The  
30 owner of the garage or repair shop or the dealer shall permit

1 any police officer or authorized department employee to make  
2 investigations under this subsection.

3 § 6309. Falsification.

4 (a) False swearing.--Any person who makes a false affidavit  
5 or swears or affirms falsely to any matter or thing required  
6 under the provisions of this title to be sworn to or affirmed is  
7 guilty of a misdemeanor of the third degree and shall, upon  
8 conviction, be punished in accordance with section 6503  
9 (relating to penalties for misdemeanors).

10 (b) Unsworn falsification.--Any person who knowingly  
11 falsifies, conceals or omits a material fact, or makes any  
12 false, fictitious or fraudulent statements or representations,  
13 or makes or uses any false writing or document, knowing it to  
14 contain any false, fictitious or fraudulent statement in any  
15 matter or thing required under the provisions of this title, is  
16 guilty of a misdemeanor of the third degree and shall, upon  
17 conviction, be punished in accordance with section 6503.

18 SUBCHAPTER B

19 RECORDS OF TRAFFIC CASES

20 Sec.

21 6321. Records of issuing authorities.

22 6322. Reports by issuing authorities.

23 6323. Reports by courts of record.

24 6324. Failure to comply with provisions of subchapter.

25 6325. Department records.

26 6326. Traffic citation forms.

27 § 6321. Records of issuing authorities.

28 (a) General rule.--Every issuing authority shall keep or  
29 cause to be kept for a period of three years a record of every  
30 traffic complaint, traffic citation or other legal form of

1 traffic charge deposited with or presented to the issuing  
2 authority.

3 (b) Contents of record.--The record of the issuing authority  
4 shall include, but not be limited to, an exact record of the  
5 proceedings, the section and subsection violated, the  
6 conviction, forfeiture of bail, judgment of acquittal and the  
7 amount of fine or forfeiture resulting from every traffic  
8 complaint or citation deposited with or presented to the issuing  
9 authority.

10 (c) Receipt for payment of fine.--The issuing authority  
11 shall deliver, without charge, to the defendant a receipt  
12 showing in detail the section and subsection violated and the  
13 amount of fine and costs imposed and paid.

14 (d) Inspection of record.--The records of the issuing  
15 authority required under this section shall be open for  
16 inspection by any police officer or authorized employee of the  
17 department, the Department of Justice, the Department of  
18 Revenue, the Auditor General and the Court Administrator of the  
19 Supreme Court.

20 § 6322. Reports by issuing authorities.

21 (a) General rule.--At the end of each week, every issuing  
22 authority shall prepare a statement, upon forms prescribed and  
23 furnished by the department, of all fines collected, bail  
24 forfeited, sentence imposed and final disposition for all cases  
25 on violations of any provisions of this title decided by the  
26 issuing authority in the week just concluded. The statement  
27 shall be certified by the issuing authority to be true and  
28 correct and shall be forwarded to the department within the  
29 following week, with a copy sent to the police department which  
30 filed the charge. The fines and bail forfeited shall accompany

1 the report to the department.

2 (b) Contents of report.--The report shall include the  
3 identifying number of the citation, the name and residence  
4 address of the party charged, the driver's license number, the  
5 registration number of the vehicle involved, a description of  
6 the offense, the section and subsection of the statute or  
7 ordinance violated, the date of hearing, the plea, the judgment  
8 or whether bail was forfeited, clear and concise reasons  
9 supporting the adjudication, the sentence or amount of  
10 forfeiture and such other information as the department may  
11 require.

12 (c) Use of reports by department.--The department shall  
13 promptly enter the information contained in the reports in the  
14 records of the persons involved in order to effect swift  
15 execution of the provisions of Subchapter B of Chapter 15  
16 (relating to a comprehensive system for driver education and  
17 control).

18 § 6323. Reports by courts of record.

19 The clerk of any court of record of this Commonwealth, within  
20 ten days after final judgment of conviction or acquittal or  
21 other disposition of charges under any of the provisions of this  
22 title, shall send to the department a record of the judgment of  
23 conviction, acquittal or other disposition. A record of the  
24 judgment shall also be forwarded to the department upon  
25 conviction or acquittal of a person of a felony in the  
26 commission of which the judge determines that a motor vehicle  
27 was essentially involved. The fines and bail forfeited shall  
28 accompany the record sent to the department.

29 § 6324. Failure to comply with provisions of subchapter.

30 (a) General rule.--Failure, refusal or neglect of any

1 issuing authority or clerk of court to comply with any of the  
2 requirements of this subchapter is a summary offense punishable  
3 by a fine of no less than \$100. Conviction shall be grounds for  
4 removal from office.

5 (b) Second or subsequent convictions.--Any second or  
6 subsequent conviction for violation of this subchapter  
7 constitutes a misdemeanor of the third degree punishable by a  
8 fine of not less than \$500.

9 § 6325. Department records.

10 ~~(a) General rule.~~ The department shall file all reports and <—  
11 records received under the provisions of this subchapter and  
12 shall maintain suitable records or facsimiles of the records  
13 which shall be open to the inspection of any person during  
14 normal business hours.

15 ~~(b) Retention of records.~~ The department shall promulgate <—  
16 rules setting forth the minimum amount of time that must elapse  
17 before the department may destroy the records maintained  
18 pursuant to this section.

19 § 6326. Traffic citation forms.

20 (a) Issuance by department.--The department shall be  
21 responsible for the issuance of traffic citation forms in  
22 conformance with the Pennsylvania Rules of Criminal Procedure.  
23 The department shall maintain a record of all citations issued  
24 and shall require and retain a receipt.

25 (b) Use of department forms mandatory.--All traffic  
26 citations issued in this Commonwealth, except for overtime  
27 parking, shall be upon forms issued by the department under  
28 subsection (a).

29 (c) Accounting for forms.--The chief administrative officer  
30 of every police department or traffic enforcement agency shall



1 require the return of a copy of every traffic citation issued by  
2 every officer under their supervision to an alleged violator and  
3 of all copies spoiled.

4 (d) Department audit.--The department shall regularly audit  
5 the records of issuance of traffic citation forms to ensure  
6 their proper use.

## 7 SUBCHAPTER C

### 8 EVIDENTIARY MATTERS

9 Sec.

10 6341. Admissibility of copies of records as evidence.

11 6342. Registration number as prima facie evidence of operation.

12 § 6341. Admissibility of copies of records as evidence.

13 All copies, including photostatic copies and microfilm  
14 reproductions, of records, books, papers, documents and rulings  
15 of the department, when certified under and bearing the seal of  
16 the department by its duly authorized agent, shall be acceptable  
17 as evidence in the courts of this Commonwealth with the same  
18 force and effect as the originals in all cases where the  
19 original records, books, papers, documents and ruling would be  
20 admitted in evidence.

21 § 6342. Registration number as prima facie evidence of  
22 operation.

23 (a) General rule.--In any proceeding for a violation of the  
24 provisions of this title or any local ordinance, rule or  
25 regulation, the registration plate displayed on a vehicle shall  
26 be prima facie evidence that the owner of the vehicle was then  
27 operating the vehicle.

28 (b) Burden shifted by testimony of owner.--If at any hearing  
29 or proceeding the owner testifies under oath or affirmation that  
30 the owner was not operating the vehicle at the time of the

1 alleged violation and submits to an examination as to who at the  
2 time was operating the vehicle and reveals the name of the  
3 person, if known, then the prima facie evidence arising from the  
4 registration plate shall be overcome and removed and the burden  
5 of proof shifted.

6 (c) Burden shifted by affidavit of owner.--If the  
7 information is made in a county other than that of the owner's  
8 own residence and an affidavit setting forth these facts is  
9 forwarded to the issuing authority, the prima facie evidence  
10 arising from the registration plate shall be overcome and the  
11 burden of proof shifted.

## 12 CHAPTER 65

### 13 PENALTIES AND DISPOSITION OF FINES

14 Sec.

15 6501. Definition of conviction.

16 6502. Designation of summary offenses and penalties.

17 6503. Penalties for misdemeanors.

18 6504. Penalties for felonies.

19 6505. Inability to pay fine and costs.

20 6506. Disposition of fines and forfeitures.

21 § 6501. Definition of conviction.

22 (a) General rule.--For the purposes of this title a  
23 conviction includes a plea of guilty, a plea of nolo contendere  
24 ~~or~~, a finding of guilty by a court OR AN UNVACATED FORFEITURE OF <—  
25 BAIL OR COLLATERAL DEPOSITED TO SECURE A DEFENDANT'S APPEARANCE  
26 IN COURT.

27 (b) Payment of fine as guilty plea.--A payment by any person  
28 charged with a violation of this title of the fine prescribed  
29 for the violation is a plea of guilty.

30 § 6502. Designation of summary offenses and penalties.

1 (a) General rule.--It is a summary offense for any person to  
2 violate any of the provisions of this title unless the violation  
3 is by this title or other statute of this Commonwealth declared  
4 to be a misdemeanor or felony.

5 (b) Penalty.--Every person convicted of a summary offense  
6 for a violation of any of the provisions of this title for which  
7 another penalty is not provided shall be sentenced to pay a fine  
8 of \$25.

9 § 6503. Penalties for misdemeanors.

10 Every person convicted of a violation of any of the  
11 provisions of this title designated a misdemeanor of the third  
12 degree or a misdemeanor without designation as to degree for  
13 which another penalty is not provided shall:

14 (1) For a first conviction, be sentenced to pay a fine  
15 of not less than \$100 nor more than ~~\$300~~ \$500, or to <—  
16 imprisonment for not more than 30 days, or both.

17 (2) For a second or subsequent conviction of the same  
18 offense committed within five years after the date of the  
19 first offense, be sentenced to pay a fine of not less than  
20 \$200 nor more than \$1,000, or to imprisonment for not more  
21 than one year, or both.

22 § 6504. Penalties for felonies.

23 Every person convicted of a violation of any of the  
24 provisions of this title designated a felony of the third degree  
25 or felony without designation as to degree for which another  
26 penalty is not provided shall be sentenced to pay a fine of not  
27 less than \$500 nor more than \$5,000, or to imprisonment for not  
28 less than one year nor more than five years, or both.

29 § 6505. Inability to pay fine and costs.

30 (a) Order for installment payments.--Upon plea and proof

1 that a person is unable to pay any fine and costs imposed under  
2 this title, a court may, in accordance with the Pennsylvania  
3 Rules of Criminal Procedure, order payment of the fine and costs  
4 in installments and shall fix the amounts, times and manner of  
5 payment.

6 (b) Imprisonment for nonpayment.--Any person who does not  
7 comply with an order entered under this section may be  
8 imprisoned for a number of days equal to one day for each \$10 of  
9 the unpaid balance of the fine and costs.

10 § 6506. Disposition of fines and forfeitures.

11 (a) State Police enforcement.--When prosecution under the  
12 provisions of this title is the result of State Police action,  
13 all fines and penalties and all bail forfeited shall be paid to  
14 the Department of Revenue, transmitted to the State Treasury and  
15 credited to the Motor License Fund. One-half of the revenue  
16 shall be paid to municipalities in the same ratio and for the  
17 same purposes provided in section 4 of the act of June 1, 1956  
18 (P.L.1944, No.655), relating to partial allocation of fuels and  
19 liquid fuels tax proceeds.

20 (b) Local police enforcement except for overtime parking.--  
21 When prosecution under the provisions of this title, except for  
22 overtime parking, is the result of local police action, one-half  
23 of all fines and penalties and all bail forfeited shall be paid  
24 to the political subdivision under which the local police are  
25 organized and one-half to the Department of Revenue, transmitted  
26 to the State Treasury and credited to the Motor License Fund.

27 (c) Local police enforcement for overtime parking.--When  
28 prosecution under the provisions of this title for overtime  
29 parking is the result of local police action, all fines and  
30 penalties and all bail forfeited shall be paid to the political

1 subdivision under which the local police are organized.

2 CHAPTER 67

3 SERVICE OF PROCESS ON NONRESIDENTS

4 Sec.

5 6701. Service of process on nonresident.

6 6702. Residents who depart Commonwealth or whose whereabouts  
7 are unknown.

8 6703. Personal representatives of nonresidents.

9 6704. Manner of service of process.

10 6705. Record of service of process.

11 § 6701. Service of process on nonresident.

12 (a) Secretary of Commonwealth as agent.--The acceptance by a  
13 nonresident of any right or privilege conferred upon him by the  
14 laws of this Commonwealth to title, register or operate a motor  
15 vehicle within this Commonwealth, or the titling, registration  
16 or operation by a nonresident or duly authorized agent or  
17 employee of a motor vehicle within this Commonwealth, or in the  
18 event the nonresident is the owner of a motor vehicle, then also  
19 the titling, registration or operation of the vehicle within  
20 this Commonwealth by any person with the express or implied  
21 permission of the owner, shall be deemed equivalent to an  
22 appointment by the nonresident of the Secretary of the  
23 Commonwealth to be the true and lawful attorney upon whom may be  
24 served all lawful process in any action or proceeding against  
25 the nonresident growing out of any accident or collision  
26 resulting from the operation of a motor vehicle upon any highway  
27 or elsewhere throughout this Commonwealth.

28 (b) Implied consent of nonresident.--The titling,  
29 registration or operation of a motor vehicle within this  
30 Commonwealth shall be deemed consent by a nonresident that any

1 process served in the manner provided in this chapter shall be  
2 of the same legal force and validity as if served personally on  
3 the nonresident.

4 § 6702. Residents who depart Commonwealth or whose whereabouts  
5 are unknown.

6 The provisions of this chapter apply to any resident who  
7 departs from this Commonwealth subsequent to an accident or  
8 collision or to any resident whose whereabouts are unknown.

9 § 6703. Personal representatives of nonresidents.

10 The appointment of the Secretary of the Commonwealth as the  
11 attorney for service of process on nonresidents is irrevocable  
12 and binding upon the personal representative, executor or  
13 administrator of the nonresident, and the provisions of this  
14 chapter shall apply in an action or proceeding against the  
15 personal representative, executor or administrator of a  
16 nonresident when the action or proceeding arises out of any  
17 accident or collision in which the nonresident may have been  
18 involved.

19 § 6704. Manner of service of process.

20 Service of process shall be made in compliance with the  
21 applicable Pennsylvania Rules of Civil and Criminal Procedure.  
22 When service upon the Secretary of the Commonwealth is required,  
23 a true and attested copy of the process shall be sent to the  
24 Secretary of the Commonwealth by registered mail at least 15  
25 days before the return day of the process.

26 § 6705. Record of service of process.

27 The Secretary of the Commonwealth shall keep a record of each  
28 process served and the day and hour of the service.

29 PART VI

30 MISCELLANEOUS PROVISIONS

1 Chapter

2 71. Vehicle Theft and Related Provisions

3 73. Abandoned Vehicles and Cargos

4 75. Messenger Service

5 CHAPTER 71

6 VEHICLE THEFT AND RELATED PROVISIONS

7 Subchapter

8 A. Identification Number

9 B. Stolen Vehicles

10 C. Misuse of Documents and Plates

11 SUBCHAPTER A

12 IDENTIFICATION NUMBER

13 Sec.

14 7101. Removal or falsification of identification number.

15 7102. Dealing in vehicles with removed or falsified numbers.

16 7103. State replacement vehicle identification number plate.

17 7104. Seizure of vehicles with removed or falsified numbers.

18 § 7101. Removal or falsification of identification number.

19 (a) Offense defined.--A person who wilfully removes or  
20 falsifies an identification number of a vehicle, engine or  
21 transmission is guilty of a misdemeanor of the third degree.

22 (b) Fraudulent intent.--A person who wilfully and with  
23 intent to conceal or misrepresent the identity of a vehicle,  
24 engine or transmission, removes or falsifies an identification  
25 number thereof, is guilty of a felony of the third degree.

26 (C) EXCEPTION.--THIS SECTION DOES NOT APPLY TO THE REMOVAL <—  
27 OF AN IDENTIFICATION NUMBER FROM A VEHICLE FOR WHICH A  
28 CERTIFICATE OF JUNK HAS BEEN OBTAINED IN ACCORDANCE WITH SECTION  
29 1117 (RELATING TO VEHICLE DESTROYED OR JUNKED).

30 § 7102. Dealing in vehicles with removed or falsified numbers.

1 (a) Offense defined.--A person who buys, receives,  
2 possesses, sells or disposes of a vehicle, engine or  
3 transmission, knowing that an identification number has been  
4 removed or falsified, is guilty of a misdemeanor of the third  
5 degree.

6 (b) Knowledge of fraudulent intent.--A person who buys,  
7 receives, possesses, sells or disposes of a vehicle, engine or  
8 transmission with knowledge that an identification number has  
9 been removed or falsified with intent to conceal or misrepresent  
10 the identity thereof, is guilty of a felony of the third degree.

11 (C) EXCEPTION.--THIS SECTION DOES NOT APPLY TO THE REMOVAL <—  
12 OF AN IDENTIFICATION NUMBER FROM A VEHICLE FOR WHICH A  
13 CERTIFICATE OF JUNK HAS BEEN OBTAINED IN ACCORDANCE WITH SECTION  
14 1117 (RELATING TO VEHICLE DESTROYED OR JUNKED).

15 § 7103. State replacement vehicle identification number plate.

16 (a) General rule.--No vehicle on which the vehicle  
17 identification number has been removed or falsified shall be  
18 titled or registered without a special permit from the  
19 department.

20 (b) Application for plate.--Before a certificate of title or  
21 registration for the vehicle can be obtained, the owner shall  
22 apply to the department for a State replacement vehicle  
23 identification number plate on a form furnished by the  
24 department which shall contain the full name and address of the  
25 owner and any other information the department may deem  
26 necessary, sworn to before an official empowered to administer  
27 oaths.

28 (c) Designation on plate.--The State replacement vehicle  
29 identification number plate shall contain:

30 (1) Official department identification.



1           (2) The manufacturer's vehicle identification number, if  
2       known, or a number assigned by the department.

3       (d) Issuance and display of plate.--The department shall  
4       furnish a State replacement vehicle identification number plate  
5       which shall be immediately placed in a uniform manner as  
6       designated by the department on the vehicle.

7       (e) Reconstructed or specially-constructed vehicle.--The  
8       department may assign a State replacement vehicle identification  
9       number plate for a reconstructed or specially-constructed  
10      vehicle.

11      ~~(f) Engine and transmission numbers. The department shall~~      <—  
12      ~~establish as in subsection (e) a system for replacing engine and~~  
13      ~~transmission numbers.~~

14      § 7104. Seizure of vehicles with removed or falsified numbers.

15      (a) Duty of police.--Every police officer having knowledge  
16      of a vehicle on which the vehicle identification number has been  
17      removed or falsified shall immediately seize and take possession  
18      of the vehicle and arrest or file a complaint for the arrest of  
19      the suspected owner or custodian. In all actions involving  
20      seizure or possession of such vehicles, vehicle identification  
21      information shall be transmitted to the Federal or other  
22      agencies involved in recovery of stolen vehicles.

23      (b) Proceedings if owner known.--The court, upon petition of  
24      the owner or of the person entitled to possession of a seized  
25      vehicle, may relinquish custody of the vehicle to the person  
26      legally entitled to the vehicle upon presentation of proof that  
27      a State replacement vehicle identification number plate has been  
28      issued by the department under section 7103 (relating to State  
29      replacement vehicle identification number plate). Except as  
30      otherwise provided in this section, the court shall retain in

1 custody the seized vehicle pending prosecution of the person  
2 arrested. In case the person is found guilty, the vehicle shall  
3 remain in the custody of the court until the fine and costs of  
4 prosecution are paid, except that if 90 days have elapsed after  
5 the verdict has been rendered and the fine and costs have not  
6 been paid, the court shall proceed to advertise and sell the  
7 vehicle in the manner provided by law for the sale of personal  
8 property under execution. The proceeds from the sale shall be  
9 used to pay the fine and costs of prosecution and the balance,  
10 if any, shall be forwarded to the department to be transmitted  
11 to the State Treasurer for deposit in the Motor License Fund.

12 (c) Proceedings if owner unknown.--If ownership of the  
13 vehicle is not established to the satisfaction of the court, the  
14 vehicle shall be confiscated by the court and sold immediately,  
15 and the proceeds shall be used to pay the costs of proceedings  
16 and the balance, if any, shall be forwarded to the department to  
17 be transmitted to the State Treasurer for deposit in the Motor  
18 License Fund.

## 19 SUBCHAPTER B

### 20 STOLEN VEHICLES

21 Sec.

22 7111. Dealing in titles and plates for stolen vehicles.

23 7112. False report of theft or conversion of vehicle.

24 7113. Reporting stolen and recovered vehicles.

25 7114. Records of stolen vehicles.

26 7115. Application for certificate of title of a stolen vehicle.

27 7116. Fraudulent removal of vehicle from garage.

28 § 7111. Dealing in titles and plates for stolen vehicles.

29 A person is guilty of a felony of the third degree if the  
30 person with fraudulent intent procures or attempts to procure a

1 certificate of title or registration plate for a vehicle, or  
2 passes or attempts to pass a certificate of title or an  
3 assignment to a vehicle, knowing or having reason to believe  
4 that the vehicle has been stolen.

5 § 7112. False report of theft or conversion of vehicle.

6 A person is guilty of a misdemeanor of the third degree if  
7 the person knowingly makes a false report of the theft or  
8 conversion of a vehicle to a police officer or to the  
9 department.

10 § 7113. Reporting stolen and recovered vehicles.

11 (a) Stolen vehicle.--Every police department or police  
12 office, having knowledge of a stolen vehicle, shall immediately  
13 furnish the State Police with full information about the stolen  
14 vehicle. The State Police shall forward the stolen vehicle  
15 information to the department.

16 (b) Recovered stolen vehicle.--~~In the event of the recovery~~ <—  
17 ~~of a stolen vehicle, the owner shall report the recovery to the~~  
18 WITHIN 48 HOURS OF THE RECOVERY OF A STOLEN VEHICLE, THE POLICE <—  
19 SHALL NOTIFY THE OWNER OF THE VEHICLE. IF THE VEHICLE WAS  
20 RECOVERED WITHOUT THEIR KNOWLEDGE, THE OWNER SHALL NOTIFY THE  
21 same police department to which the theft was originally  
22 reported. ~~The police~~ ON RECOVERING OR receiving AND VERIFYING <—  
23 the report of ~~the~~ recovery OF A STOLEN VEHICLE, THE POLICE shall <—  
24 ~~verify the recovery and~~ notify the State Police. The State <—  
25 Police shall notify the department of the recovery.

26 § 7114. Records of stolen vehicles.

27 (a) General rule.--The department shall, upon receiving a  
28 report of the theft of a vehicle, make an entry onto the  
29 vehicle's record that it has been reported as stolen, which  
30 entry shall remain until a report of recovery has been received

1 as provided in section 7113(b) (relating to reporting stolen and  
2 recovered vehicles). If the vehicle is not reported as recovered  
3 within five years, the department may remove the record from its  
4 files.

5 (b) List of stolen and recovered vehicles.--The department  
6 shall prepare periodic reports listing vehicles, stolen and  
7 recovered, as disclosed by the reports submitted, to be  
8 distributed as provided in regulations promulgated by the  
9 department.

10 § 7115. Application for certificate of title of a stolen  
11 vehicle.

12 Upon receipt of an application for a certificate of title of  
13 a stolen vehicle, the department shall notify the State Police  
14 and the rightful owner and shall withhold the issuing of the  
15 certificate of title until the proper investigation is made.

16 § 7116. Fraudulent removal of vehicle from garage.

17 No person shall remove or cause to be removed, by any false  
18 pretension or with intent to defraud, any vehicle that has been  
19 placed in a garage or automobile shop for storage, repair or  
20 garage service.

## 21 SUBCHAPTER C

### 22 MISUSE OF DOCUMENTS AND PLATES

23 Sec.

24 7121. False application for certificate of title or  
25 registration.

26 7122. Altered, forged or counterfeit documents and plates.

27 7123. Sale or purchase of certificate or other document.

28 7124. Fraudulent use or removal of registration plate.

29 § 7121. False application for certificate of title or  
30 registration.

1 A person is guilty of a felony of the third degree if the  
2 person uses a false or fictitious name or address or makes a  
3 material false statement, or fails to disclose a security  
4 interest, or conceals any other material fact in an application  
5 for a certificate of title or for registration.

6 § 7122. Altered, forged or counterfeit documents and plates.

7 A person is guilty of a felony of the third degree if the  
8 person, with fraudulent intent:

9 (1) alters, forges or counterfeits a certificate of  
10 title, registration card or plate, inspection certificate or  
11 proof of insurance;

12 (2) alters or forges an assignment of a certificate of  
13 title, or an assignment or release of a security interest on  
14 a certificate of title or any other document issued or  
15 prepared for issue by the department; or

16 (3) has possession of, sells or attempts to sell, uses  
17 or displays a certificate of title, registration card or  
18 plate, DRIVER'S LICENSE, inspection certificate ~~or~~, proof of <—  
19 insurance OR ANY OTHER DOCUMENT ISSUED BY THE DEPARTMENT, <—  
20 knowing it to have been altered, forged or counterfeited.

21 § 7123. Sale or purchase of certificate or other document.

22 It is unlawful to purchase or sell a certificate or any other  
23 document issued by the department. Police officers or department  
24 representatives may confiscate the documents when unlawfully  
25 possessed or used.

26 § 7124. Fraudulent use or removal of registration plate.

27 A person is guilty of a misdemeanor of the third degree if  
28 the person either removes a registration plate from a vehicle or  
29 affixes to a vehicle a registration plate not authorized by law  
30 for use on the vehicle, with intent to conceal or misrepresent

1 the identity of the vehicle or its owner.

2 CHAPTER 73

3 ABANDONED VEHICLES AND CARGOS

4 Sec.

5 7301. Authorization of salvors.

6 7302. Certificate of authorization.

7 7303. Suspension of authorization.

8 7304. Reports to department of possession of abandoned  
9 vehicles.

10 7305. Notice to owner and lienholders of abandoned vehicles.

11 7306. Payment of costs upon reclaiming vehicle.

12 7307. Authorization for disposal of unclaimed vehicles.

13 7308. Public sale of unclaimed vehicles with value.

14 7309. Junking of vehicles valueless except for junk.

15 7310. Removal of vehicles and spilled cargo from roadway.

16 7311. Reports by garage keepers of abandoned vehicles.

17 7312. Penalty for violation of chapter.

18 § 7301. Authorization of salvors.

19 (a) General rule.--The department shall authorize and shall  
20 issue a certificate of authorization to every salvor that  
21 complies with the requirements of this chapter and regulations  
22 adopted by the department and is a vehicle salvage dealer as  
23 defined in section ~~1353(e)(2)~~ 1337(c)(2) (relating to use of  
24 "Miscellaneous Motor Vehicle Business" registration plates).

25 (b) Unauthorized operation prohibited.--No person shall  
26 operate as a salvor unless authorized.

27 (c) Duty of salvor.--Upon written request of a police  
28 department, a salvor shall take possession of and remove to the  
29 storage facility of the salvor any abandoned vehicle located  
30 within 30 miles of the place of business of the salvor.

1 (d) Storage facility.--A salvor may rent or own a storage  
2 facility, which shall comply with the act of December 15, 1971  
3 (P.L.596, No.160), known as the "Outdoor Advertising Control Act  
4 of 1971," where applicable, and with regulations promulgated by  
5 the department.

6 § 7302. Certificate of authorization.

7 (a) Application and issuance.--Application for a certificate  
8 of authorization shall be made on a form prescribed by the  
9 department. The department shall investigate the qualifications  
10 and fitness of the applicant and shall issue a certificate of  
11 authorization if it determines that the applicant is capable of  
12 performing the duties of a salvor in a manner consistent with  
13 the public interest.

14 (b) Place of business.--Every applicant shall have and  
15 maintain an established place of business. If the applicant has  
16 or intends to have one or more places of business or branch  
17 offices, the application shall contain complete information for  
18 each location.

19 (c) Bonding required.--Before issuing a certificate of  
20 authorization, the department shall require the applicant to  
21 furnish and maintain a bond indemnifying the public and the  
22 department in the amount of \$10,000. An individual bond for each  
23 place of business is not required, but all places of business  
24 shall be covered by the bond.

25 (d) Duration and renewal.--Certificates of authorization  
26 shall be ~~given~~ ISSUED for a period of one year and ~~may be~~ <—  
27 ~~renewed annually.~~ SHALL BE SUBJECT TO ANNUAL RENEWAL. <—

28 § 7303. Suspension of authorization.

29 (a) General rule.--The department shall supervise salvors  
30 and, after providing an opportunity for a hearing, shall suspend

1 the authorization of any salvor which the department finds is  
2 not properly operated or which has violated or failed to comply  
3 with any of the provisions of this chapter or regulations  
4 adopted by the department. A suspended certificate of  
5 authorization shall be returned to the department immediately  
6 except an appeal from suspension as provided in subsection (b)  
7 shall operate as a supersedeas of any suspension by the  
8 department.

9 (b) Judicial review.--Any person whose certificate of  
10 authorization has been denied or suspended under this chapter  
11 shall have the right to file a petition within 30 days  
12 thereafter for a hearing on the matter in the court of common  
13 pleas of the county in which the principal place of business of  
14 the salvor is located. The court is hereby vested with  
15 jurisdiction and it shall be its duty to set the matter for  
16 hearing upon 30 days' written notice to the department and to  
17 take testimony and examine into the facts of the case and to  
18 determine whether the petitioner is entitled to a certificate of  
19 authorization or is subject to suspension of the certificate of  
20 authorization under the provisions of this chapter.

21 § 7304. Reports to department of possession of abandoned  
22 vehicles.

23 Any salvor taking possession of an abandoned vehicle pursuant  
24 to section 7301(c) (relating to authorization of salvors) shall  
25 within 48 hours after taking possession report to the department  
26 the make, model, vehicle identification number and registration  
27 plate number of the abandoned vehicle, and the name and address  
28 of the owner or person who abandoned the vehicle, if known,  
29 together with any other information or documents which the  
30 department may by regulation require. The report shall include a



1 statement whether the vehicle is valueless except for junk.  
2 Where the report indicates the vehicle is valueless except for  
3 junk, the salvor shall include a photograph of the vehicle to be  
4 prepared in a manner prescribed by the department. A report by a  
5 salvor that a vehicle is valueless except for junk shall be  
6 verified by the police department which authorized transfer of  
7 the vehicle to the salvor.

8 § 7305. Notice to owner and lienholders of abandoned vehicles.

9 (a) General rule.--Except as provided in section 7309  
10 (relating to junking of vehicles valueless except for junk), the  
11 department, upon receipt of notice that an abandoned vehicle has  
12 been taken into possession pursuant to this chapter, shall  
13 notify by certified mail, return receipt requested, the last  
14 known registered owner of the vehicle and all lienholders of  
15 record that the vehicle is abandoned.

16 (b) Contents of notice.--The notice shall:

17 (1) Describe the make, model, title number, vehicle  
18 identification number and registration plate number of the  
19 abandoned vehicle, if known.

20 (2) State the location where the vehicle is being held.

21 (3) Inform the owner and any lienholders of their right  
22 to reclaim the vehicle within 30 days after the date of the  
23 notice at the place where the vehicle is being held by the  
24 salvor, upon payment of all towing and storage charges and  
25 the fee authorized in section 7306 (relating to payment of  
26 costs upon reclaiming vehicle).

27 (4) State that the failure of the owner or lienholder to  
28 reclaim the vehicle is deemed consent by the owner to the  
29 destruction, sale or other disposition of the abandoned  
30 vehicle and of all lienholders to dissolution of their liens.

(c) Notice by publication.--If the identity of the last registered owner and of all lienholders cannot be determined with reasonable certainty, the contents of the notice set forth in subsection (b) shall be published one time in one newspaper of general circulation in the area where the vehicle was abandoned. The notice may contain multiple listings of abandoned vehicles. Notice by publication locally shall be the responsibility of the salvor. The notice shall have the same effect as notice sent by certified mail.

§ 7306. Payment of costs upon reclaiming vehicle.

In the event the owner or lienholder of an abandoned vehicle reclaims the vehicle, the reclaiming party shall pay the costs for towing and storage, plus a fee of \$25 of which \$10 shall be transmitted to the department by the salvor.

§ 7307. Authorization for disposal of unclaimed vehicles.

The department shall, after the expiration of 30 days from the date of notice sent by certified mail to the registered owner and all lienholders of record or 30 days after publication of notice, where applicable, and upon receipt of a written statement from the holder of the vehicle that the abandoned vehicle has not been reclaimed by the owner or lienholder within the 30-day period, authorize the disposal of the abandoned vehicle in accordance with the provisions of this chapter.

§ 7308. Public sale of unclaimed vehicles with value.

(a) General rule.--If an abandoned vehicle having value has not been reclaimed as provided in this chapter, the vehicle shall be sold at a public auction.

(b) Title of purchaser.--The salvor shall give the purchaser a sales receipt and shall apply to the department for a title which shall be free and clear of all previous liens and claims

1 of ownership.

2 (c) Disposition of proceeds.--From the proceeds of the sale  
3 of the abandoned vehicle, the salvor shall be reimbursed for the  
4 costs of towing, storage, notice and publication costs and  
5 expenses of auction. The remainder of the proceeds of a sale  
6 shall be held for the owner of the vehicle or record lienholder  
7 for 60 days from the date of sale and if not properly claimed  
8 shall then be paid to the department and transmitted to the  
9 State Treasurer for deposit in the Motor License Fund.

10 § 7309. Junking of vehicles valueless except for junk.

11 (a) Application for certificate of junk.--If an abandoned  
12 vehicle is valueless except for junk, the salvor shall note that  
13 fact in the report to the department required in section 7304  
14 (relating to reports to department of possession of abandoned  
15 vehicles) and shall apply for issuance of a certificate of junk  
16 as provided for in section 1117 (relating to vehicle destroyed  
17 or junked).

18 (b) Notice and issuance of certificate.--If the identity of  
19 the last registered owner cannot be determined with reasonable  
20 certainty and it is impossible to determine with reasonable  
21 certainty the identity and addresses of any lienholder, no  
22 notice shall be required. Under such circumstances, the  
23 department shall upon receipt of the report by the salvor  
24 pursuant to section 7304 issue a certificate of junk as provided  
25 in section 1117.

26 (c) Reimbursement of expenses of salvor.--Upon receipt  
27 WITHIN SIX MONTHS of evidence that a salvor has removed an  
28 abandoned vehicle upon the request of a police department, the  
29 department shall pay to the salvor from the Motor License Fund  
30 the sum of \$15 for the expenses incurred in the removal and

<—

1 towing of the abandoned vehicle. No portion of \$15 payment or  
2 any separate consideration shall be reimbursed or paid to any  
3 government agency or municipality by the salvor.

4 (d) Rights of owners and lienholders.--Issuance by the  
5 department of a certificate of junk for a vehicle junked under  
6 this section shall operate as a divestiture of all right, title  
7 and interest in the vehicle of the owner and all lienholders.

8 § 7310. Removal of vehicles and spilled cargo from roadway.

9 (a) General rule.--Police officers may remove or direct  
10 removal of abandoned or wrecked vehicles and spilled cargo from  
11 any roadway to the nearest point off the roadway where the  
12 vehicle or spilled cargo will not interfere with or obstruct  
13 traffic. Immediately following an accident, the wrecked vehicle  
14 or spilled cargo shall be removed or directed to be removed from  
15 the roadway by a police officer if the owner or operator cannot  
16 remove the wrecked vehicle or refuses or fails to have the  
17 vehicle removed within a reasonable time.

18 (b) Storage of cargo.--When, in the opinion of a police  
19 officer, it is deemed necessary for the protection of the  
20 contents or load of a wrecked vehicle or spilled cargo from the  
21 elements, spoilage or theft, the police officer may remove or  
22 direct to be removed and have stored at the expense of the owner  
23 the contents or load or spilled cargo at the nearest practical  
24 place of storage.

25 (c) Liability for damages.--In carrying out the provisions  
26 of this section, no liability shall attach to the police officer  
27 or, absent a showing of gross negligence, to any person acting  
28 under the direction of the police officer for damage to a  
29 vehicle or damage to or loss of any portion of the contents or  
30 load or spilled cargo.

1 § 7311. Reports by garage keepers of abandoned vehicles.

2 The person in charge of any garage or repair shop in which a  
3 vehicle of unknown ownership has been left for a period of 15  
4 consecutive days without being removed by the owner or any other  
5 person duly authorized to remove the vehicle shall report to the  
6 department within 24 hours of the expiration of the 15-day  
7 period giving the make, engine number, vehicle identification  
8 number, registration plate number and the name and address of  
9 the person abandoning the vehicle if known. Upon receipt of the  
10 report the department shall make a distinctive record of the  
11 report and file the report in the manner provided in section  
12 7114 (relating to records of stolen vehicles).

13 § 7312. Penalty for violation of chapter.

14 (a) Fines.--Any person violating any of the provisions of  
15 this chapter for a first offense is guilty of a summary offense  
16 punishable by a fine of not less than \$100, and for a subsequent  
17 offense is guilty of a misdemeanor of the third degree  
18 punishable by a fine of not less than \$500.

19 (b) Suspension.--For violation of any of the provisions of  
20 this chapter, the salvor shall be subject to suspension of the  
21 privilege to receive abandoned vehicles under this chapter.

## 22 CHAPTER 75

### 23 MESSENGER SERVICE

24 Sec.

25 7501. Authorization of messenger service.

26 7502. Certificate of authorization.

27 7503. Suspension of authorization.

28 7504. Place of business.

29 7505. Transaction of business with department.

30 7506. Violations and penalties.

1 § 7501. Authorization of messenger service.

2 (a) General rule.--The department shall authorize and shall  
3 issue a certificate of authorization to every messenger service  
4 that complies with the requirements of this chapter and  
5 regulations adopted by the department.

6 (b) Unauthorized operation prohibited.--No person shall  
7 operate a messenger service unless authorized.

8 (c) Penalty.--Any person operating a messenger service  
9 without authorization is guilty of a summary offense and shall,  
10 upon conviction, be sentenced to pay a fine of not less than  
11 \$200.

12 § 7502. Certificate of authorization.

13 (a) Application and issuance.--Application for a certificate  
14 of authorization shall be made on a form prescribed by the  
15 department, accompanied by the applicable fee. The department  
16 shall investigate the qualifications and fitness of the  
17 applicant and shall issue a certificate of authorization if it  
18 determines that the applicant is capable of performing the  
19 duties of a messenger service in a manner consistent with the  
20 public interest and the applicable fees are paid.

21 (b) Place of business.--Every applicant shall have and  
22 maintain an established place of business. If the applicant has  
23 or intends to have one or more places of business or branch  
24 offices, the application shall contain complete information for  
25 each location.

26 (c) Bond required.--Before issuing a certificate of  
27 authorization, the department shall require the applicant to  
28 furnish and maintain a bond indemnifying the public and the  
29 department in the amount of \$25,000. An individual bond for each  
30 place of business is not required, but all places of business

1 shall be covered by the bond.

2 (d) Commonwealth employees ineligible.--No official or  
3 employee of the Commonwealth shall be given authorization to  
4 operate as a messenger service, nor own, nor be employed by, a  
5 messenger service.

6 (e) Duration and renewal.--Certificates of authorization  
7 shall be given for a period of one year and may be renewed  
8 annually.

9 § 7503. Suspension of authorization.

10 (a) General rule.--The department shall supervise messenger  
11 services and, after providing an opportunity for a hearing,  
12 shall suspend the authorization of any messenger service which  
13 it finds is not properly operated or which has violated or  
14 failed to comply with any of the provisions of this chapter or  
15 regulations adopted by the department. Any suspended certificate  
16 of authorization shall be returned to the department  
17 immediately. A SUSPENDED CERTIFICATE MAY BE RESTORED ON SUCH  
18 TERMS AND CONDITIONS, INCLUDING THE POSTING OF ADDITIONAL BOND,  
19 AS THE DEPARTMENT SHALL DEEM ADVISABLE.

<—

20 (b) Judicial review.--Any person whose certificate of  
21 authorization has been denied or suspended under this chapter  
22 shall have the right to file a petition within 30 days  
23 thereafter for a hearing on the matter in the court of common  
24 pleas of the county in which the principal place of business of  
25 the person is located. The court is hereby vested with  
26 jurisdiction and it shall be its duty to set the matter for  
27 hearing upon 30 days' written notice to the department and to  
28 take testimony and examine into the facts of the case and to  
29 determine whether the petitioner is entitled to a certificate of  
30 authorization or is subject to suspension of the certificate of

1 authorization under the provisions of this chapter.

2 § 7504. Place of business.

3 (a) Operation with other business.--A messenger service may  
4 be operated in conjunction with a closely allied business in  
5 accordance with regulations of the department.

6 (b) Change of location.--Upon notification in writing to the  
7 department that the location of place of business or branch will  
8 be changed and upon payment of the applicable transfer fee, the  
9 department shall issue a certificate of authorization for the  
10 new location for the unexpired period of authorization if the  
11 department determines that the new location conforms to  
12 department regulations.

13 (c) Failure to report change of location.--A change of  
14 location or addition of a place of business or branch office  
15 without notification to the department shall result in  
16 suspension of the certificate of authorization.

17 (d) Display of sign and certificate.--Every messenger  
18 service shall display on the outside of each place of business  
19 an identifying sign conforming to regulations of the department  
20 and shall prominently display within each place of business its  
21 certificate of authorization. No person other than an authorized  
22 messenger service shall display a similar identifying sign or  
23 certificate.

24 § 7505. Transaction of business with department.

25 The department may designate those locations, facilities and  
26 hours of operation at which messenger services may transact  
27 business with the department. Every messenger service to whom a  
28 certificate of authorization has been issued pursuant to this  
29 chapter shall be permitted to transact business with the  
30 department at the locations and facilities and during the hours



1 of operation designated by the department. The department may  
2 prescribe such regulations as may be necessary for the  
3 administration of this chapter.

4 § 7506. Violations and penalties.

5 Any person violating any provision of this chapter or the  
6 rules and regulations promulgated thereunder for which a  
7 specific penalty is not provided is guilty of a summary offense  
8 and shall, upon conviction, be sentenced to pay a fine of not  
9 less than \$100.

10 Section 2. Transition Provisions.

11 (a) Existing points.--All points assigned to the records of  
12 licensed persons under former ~~section~~ SECTIONS 618(B)(2) AND <—  
13 619.1 of the act of April 29, 1959 (P.L.58, No.32), known as  
14 "The Vehicle Code," shall be deleted from the records of the  
15 licensees and thereafter may not be used as a basis for  
16 suspension of operating privileges. ~~on accumulation of points~~ <—  
17 ~~except that existing orders for suspension shall be effective~~  
18 ~~and licenses affected shall be suspended for the full term~~  
19 ~~specified in the order for suspension.~~ THE DEPARTMENT SHALL <—  
20 RETURN THE LICENSES OF ALL DRIVERS WHO ARE SERVING SUSPENSIONS  
21 UNDER SECTION 618(B)(2) OR 619.1. SUCH DRIVERS SHALL NOT DRIVE  
22 UNTIL THEY HAVE RECEIVED THEIR LICENSES.

23 ~~(b) Prior suspensions and revocations. All records of~~ <—  
24 ~~suspensions and revocations under former Article VI of "The~~  
25 ~~Vehicle Code" which occurred within three years prior to the~~  
26 ~~effective date of this act shall be retained by the department~~  
27 ~~and shall constitute prior suspensions and revocations for the~~  
28 ~~purpose of determining the length of suspensions under 75~~  
29 ~~Pa.C.S. § 1539 (relating to suspension of operating privilege on~~  
30 ~~accumulation of points).~~

1     ~~(c) Prior convictions. Convictions for violations of the~~  
2     ~~former provisions of "The Vehicle Code" shall constitute prior~~  
3     ~~convictions for substantially similar violations of Title 75 of~~  
4     ~~the Pennsylvania Consolidated Statutes as amended by this act~~  
5     ~~and subsequent acts for the purpose of determining the penalties~~  
6     ~~for violations of Title 75.~~

7     (B) PURGE OF RECORDS.--ALL RECORDS OF SUSPENSIONS AND     <—  
8     CONVICTIONS UNDER FORMER SECTIONS 618(B)(2) AND 619.1 OF "THE  
9     VEHICLE CODE," SHALL BE DELETED FROM THE RECORDS OF THE LICENSEE  
10    AND SHALL NOT CONSTITUTE PRIOR SUSPENSIONS FOR THE PURPOSE OF  
11    DETERMINING THE LENGTH OF SUSPENSIONS UNDER 75 PA.C.S. § 1539.  
12    THE DEPARTMENT SHALL PURGE ITS FILES OF ALL SUCH RECORDS.

13    (C) IMPLEMENTING REGULATIONS.--IMMEDIATELY UPON THE FINAL  
14    ENACTMENT OF THIS ACT, THE DEPARTMENT OF TRANSPORTATION SHALL  
15    PROMULGATE REGULATIONS TO IMPLEMENT THE PROVISIONS OF 75 PA.C.S.  
16    §§ 1535 THROUGH 1539 BY ASSIGNING POINTS AS PRESCRIBED IN 75  
17    PA.C.S. § 1535(A) FOR SIMILAR VIOLATIONS OCCURRING PRIOR TO THE  
18    EFFECTIVE DATE OF THIS ACT UNDER THE ACT OF APRIL 29, 1959  
19    (P.L.58, NO.32), KNOWN AS "THE VEHICLE CODE." THE REGULATIONS  
20    MAY BE PROMULGATED WITHOUT COMPLIANCE WITH STATUTORY  
21    REQUIREMENTS RELATING TO NOTICE OF PROPOSED RULE MAKING AND  
22    PUBLIC HEARINGS, MAY BE MADE EFFECTIVE IMMEDIATELY UPON  
23    PUBLICATION IN THE PENNSYLVANIA BULLETIN AND MAY BE MADE  
24    RETROACTIVE TO THE DATE OF FINAL ENACTMENT OF THIS ACT.

25    (D) STAGGERED REGISTRATION RENEWAL SYSTEM.--THE SYSTEM OF  
26    STAGGERED REGISTRATION RENEWAL PROVIDED FOR IN 75 PA.C.S. § 1307  
27    (RELATING TO PERIOD OF REGISTRATION) AS ADDED BY THIS ACT SHALL  
28    BE IMPLEMENTED DURING A PERIOD OF 18 MONTHS BEGINNING SIX MONTHS  
29    FROM THE DATE OF FINAL ENACTMENT OF THIS ACT IN COORDINATION  
30    WITH THE EXPIRATION OF REGISTRATION PERIODS FOR VARIOUS TYPES OF

1 VEHICLES UNDER EXISTING LAW.

2 Section 3. Saving Provision.--The provisions of Title 75 of  
3 the Pennsylvania Consolidated Statutes as added by this act  
4 shall not affect any act done, liability incurred, or right  
5 accrued or vested, or affect any suit or prosecution pending or  
6 to be instituted to enforce any right or penalty, or punish any  
7 offense, under the authority of any statute repealed by this  
8 act.

9 Section 4. Severability.--If any provision of this act or  
10 the application thereof to any person or circumstances is held  
11 invalid, such invalidity shall not affect other provisions or  
12 applications of the act which can be given effect without the  
13 invalid provision or application, and to this end the provisions  
14 of this act are declared to be severable.

15 Section 5. Repeals.

16 (a) Specific repeals.--The following acts are repealed:

17 Act of April 23, 1889 (P.L.44, No.43), entitled "An act  
18 defining the rights and regulating the use of bicycles and  
19 tricycles."

20 Act of May 14, 1929 (P.L.1721, No.563), entitled, as amended,  
21 "An act providing for the service of process in civil suits on  
22 nonresident operators, nonresident owners or nonresident persons  
23 in whose behalf a motor vehicle or motor boat is being operated  
24 or motor vehicles or motor boats operated within the  
25 Commonwealth of Pennsylvania; and making the operation of such a  
26 motor vehicle or motor boat on the public highways or on inland  
27 or tidal waters of the Commonwealth of Pennsylvania the  
28 equivalent of the appointment of the Secretary of the  
29 Commonwealth of the Commonwealth of Pennsylvania as the agent of  
30 the said nonresident, upon whom civil process may be served; and

1 providing for further notice to the defendant in any such suit."

2 ~~Except Article VII, the act~~ ACT of April 29, 1959 (P.L.58,  
3 No.32), known as "The Vehicle Code."

4 (b) General repeal.--All other acts and parts of acts are  
5 repealed in so far as they are inconsistent herewith.

6 Section 6. Effective Date.

7 (a) General rule.--Except as OTHERWISE provided in  
8 ~~subsection (b)~~ THIS SECTION, this act shall take effect ~~in one~~  
9 ~~year~~ JANUARY 1, 1977.

10 (B) POINT SYSTEM.--SECTIONS 1535 (RELATING TO SCHEDULE OF  
11 CONVICTIONS AND POINTS) THROUGH 1539 (RELATING TO SUSPENSION OF  
12 OPERATING PRIVILEGE ON ACCUMULATION OF POINTS) OF TITLE 75 AS  
13 ADDED BY THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

14 ~~(b)~~ (C) Tire studs.--Section 4525(c) of Title 75 (relating  
15 to tire studs) as added by this act shall take effect in four  
16 years.