

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 1305 Session of  
2010

INTRODUCED BY RAFFERTY, BRUBAKER, SCARNATI, GORDNER, ALLOWAY,  
VOGEL, ROBBINS, GREENLEAF, TARTAGLIONE, PIPPY, ORIE, BAKER,  
ARGALL, FOLMER, SMUCKER, PICCOLA, WARD, WOZNIAK, CORMAN, YAW,  
WAUGH, BOSCOLA, MENSCH, KASUNIC AND D. WHITE, APRIL 20, 2010

SENATOR RAFFERTY, TRANSPORTATION, AS AMENDED, JUNE 9, 2010

## AN ACT

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

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

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

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

10 \* \* \*

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

18 (1) The department shall be authorized to extend the

1 coverage of any Federal statute, regulation, standard or  
2 criteria adopted under this subsection to vehicles and  
3 drivers operating only in intrastate commerce, except as  
4 follows:

5 [(ii) No Federal statute, regulation, standard or  
6 criteria pertaining to drivers, including, but not  
7 limited to, minimum driver qualifications, maximum hours  
8 of service or driver records, shall be extended to cover  
9 farm trucks, except farm trucks carrying hazardous  
10 materials in an amount and type which require the vehicle  
11 to be placarded under Chapter 83 (relating to hazardous  
12 materials transportation).]

13 (iii) ~~No OTHER THAN IMPLEMENTS WHOSE DESIGN AND~~ ←  
14 FUNCTION WOULD OTHERWISE MEET THE DEFINITION OF A TRUCK  
15 OR TRUCK TRACTOR UNDER SECTION 102 (RELATING TO  
16 DEFINITIONS), NO Federal ~~statue~~ STATUTE, regulation, ←  
17 standard or criteria shall be extended to cover  
18 implements of husbandry or drivers of implements of  
19 husbandry, regardless of whether the implement is  
20 operated as a combination.

21 (iv) No ~~federal~~ FEDERAL statute, regulation, ←  
22 standard or criteria shall be extended to cover farm  
23 vehicles ~~or drivers of farm vehicles~~, IMPLEMENTS OF ←  
24 HUSBANDRY WHOSE DESIGN AND FUNCTION WOULD OTHERWISE MEET  
25 THE DEFINITION OF A TRUCK OR TRUCK TRACTOR UNDER SECTION  
26 102 OR DRIVERS OF THESE VEHICLES, regardless of whether  
27 the vehicle is operated as a combination, provided that:

28 (A) the vehicle's or combination's gross weight,  
29 gross vehicle weight rating and gross combination  
30 weight rating do not exceed 26,000 pounds; and

1                   (B) the vehicle or combination is not carrying  
2                   hazardous materials in an amount that requires the  
3                   towing or towed vehicle to be placarded under Chapter  
4                   83 (relating to hazardous materials transportation).

5           (2) The regulations promulgated by the department under  
6   paragraph (1) may be modified, but shall, to the maximum  
7   extent possible, be consistent with safety and correspond to  
8   Federal regulations, standards or criteria.

9       \* \* \*

10       Section 2. The provisions of 67 Pa. Code Ch. 231 are  
11   abrogated with respect to vehicles for which and drivers for  
12   whom the department is prohibited under 75 Pa.C.S. § 6103(c)(1)  
13   from extending coverage of any Federal ~~statue~~ STATUTE,  
14   regulation, standard or criteria.

15       Section 3. This act shall take effect immediately.

