
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1817 Session of
1975

Report of the Committee of Conference

To the Members of the House of Representatives and Senate:

We, the undersigned, Committee of Conference on the part of the House of Representatives and Senate for the purpose of considering House Bill No. 1817, entitled:
"An act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding revised, compiled and codified provisions relating to vehicles and pedestrians."

respectfully submit the following bill as our report:

JOSEPH F. BONETTO

J. BARRY STOUT

DANIEL E. BEREN

(Committee on the part of the House of Representatives.)

FRANCIS J. LYNCH

JOSEPH F. SMITH

CLARENCE F. MANBECK

(Committee on the part of the Senate.)

AN ACT

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding revised, compiled and codified provisions relating to vehicles and pedestrians.

TABLE OF CONTENTS

TITLE 75

VEHICLES

PART I. PRELIMINARY PROVISIONS

Chapter 1. General Provisions

§ 101. Short title of title.

§ 102. Definitions.

§ 103. Uniformity of interpretation.

§ 104. Continuation of existing law.

PART II. TITLE, REGISTRATION AND LICENSING

Chapter 11. Certificate of Title and Security Interests.

Subchapter A. Certificate of Title

§ 1101. Certificate of title required.

§ 1102. Vehicles not requiring certificate of title.

§ 1103. Application for certificate of title.

§ 1104. Examination of records upon receipt of application.

§ 1105. Issuance of certificate of title.

§ 1106. Content and effect of certificate of title.

§ 1107. Delivery of certificate of title.

§ 1108. Registration without certificate of title.

§ 1109. Refusing issuance of certificate of title.

§ 1110. Duplicate certificate of title to replace original.

§ 1111. Transfer of ownership of vehicle.

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

§ 1113. Transfer to or from manufacturer or dealer.

- 1 § 1114. Transfer of vehicle by operation of law.
- 2 § 1115. Correction of certificate of title.
- 3 § 1116. Issuance of new certificate following transfer.
- 4 § 1117. Vehicle destroyed or junked.
- 5 § 1118. Suspension and cancellation of certificate of title.
- 6 § 1119. Application for certificate of title by agent.

7 Subchapter B. Security Interests

- 8 § 1131. Applicability of subchapter.
- 9 § 1132. Perfection of security interest.
- 10 § 1133. Creation of security interest for titled vehicle.
- 11 § 1134. Assignment by lienholder of security interest.
- 12 § 1135. Satisfaction of security interest.
- 13 § 1136. Duty of lienholder to disclose pertinent information.
- 14 § 1137. Subchapter exclusive for perfecting security interest.
- 15 § 1138. Duration of lien recorded on certificate of title.

16 Chapter 13. Registration of Vehicles

17 Subchapter A. General Provisions

- 18 § 1301. Driving unregistered vehicle prohibited.
- 19 § 1302. Vehicles subject to registration.
- 20 § 1303. Vehicles of nonresidents exempt from registration.
- 21 § 1304. Registration criteria.
- 22 § 1305. Application for registration.
- 23 § 1306. Grounds for refusing registration.
- 24 § 1307. Period of registration.
- 25 § 1308. Issuance of registration card.
- 26 § 1309. Renewal of registration.
- 27 § 1310. Temporary registration cards.
- 28 § 1311. Registration card to be signed and exhibited on demand.
- 29 § 1312. Notice of change of name or address.
- 30 § 1313. Duplicate registration cards.

1 § 1314. Transfer of registration.

2 § 1315. Operation of vehicle following death of owner.

3 § 1316. Department records.

4 Subchapter B. Registration Plates

5 § 1331. Issuance of registration plates.

6 § 1332. Display of registration plate.

7 § 1333. Lost, stolen, damaged or illegible registration plate.

8 § 1334. Return of registration plate.

9 § 1335. Registration plates for manufacturers and dealers.

10 § 1336. Use of dealer registration plates.

11 § 1337. Use of "Miscellaneous Motor Vehicle Business"
12 registration plates.

13 § 1338. Handicapped plate.

14 § 1339. Legislative plate.

15 § 1340. Antique and classic plates.

16 § 1341. Personal plate.

17 § 1342. Plate for totally disabled veteran.

18 § 1343. Use of school bus plates.

19 § 1344. Use of farm truck plates.

20 Subchapter C. Violations and Suspensions

21 § 1371. Operation following suspension of registration.

22 § 1372. Unauthorized transfer or use of registration.

23 § 1373. Suspension of registration.

24 § 1374. Suspension of vehicle business registration plates.

25 § 1375. Suspension of registration of unapproved carriers.

26 § 1376. Surrender of registration plates and cards upon
27 suspension.

28 § 1377. Judicial review of denial or suspension of
29 registration.

30 Chapter 15. Licensing of Drivers

1 Subchapter A. General Provisions

2 § 1501. Drivers required to be licensed.

3 § 1502. Persons exempt from licensing.

4 § 1503. Persons ineligible for licensing.

5 § 1504. Classes of licenses.

6 § 1505. Learners' permits.

7 § 1506. Application for driver's license or learner's permit.

8 § 1507. Application for driver's license or learner's permit
9 by minor.

10 § 1508. Examination of applicant for driver's license.

11 § 1509. Qualifications for Class 4 license.

12 § 1510. Issuance and content of driver's license.

13 § 1511. Carrying and exhibiting driver's license on demand.

14 § 1512. Restrictions on drivers' licenses.

15 § 1513. Duplicate and substitute drivers' licenses and
16 learners' permits.

17 § 1514. Expiration and renewal of drivers' licenses.

18 § 1515. Notice of change of name or address.

19 § 1516. Department records.

20 § 1517. Medical advisory board.

21 § 1518. Reports on mental or physical disabilities or
22 disorders.

23 § 1519. Determination of incompetency.

24 Subchapter B. Comprehensive System for Driver Education
25 and Control

26 § 1531. Administration of system by department.

27 § 1532. Revocation or suspension of operating privilege.

28 § 1533. Suspension of operating privilege for failure to
29 respond to citation.

30 § 1534. Notice of acceptance of Accelerative Rehabilitative

1 Disposition.

2 § 1535. Schedule of convictions and points.

3 § 1536. Notice of assignment of points.

4 § 1537. Removal of points.

5 § 1538. School, examination or hearing

6 on accumulation of points or excessive speeding.

7 § 1539. Suspension of operating privilege on accumulation of

8 points.

9 § 1540. Surrender of license.

10 § 1541. Period of revocation or suspension of operating

11 privilege.

12 § 1542. Revocation of habitual offender's license.

13 § 1543. Driving while operating privilege is suspended

14 or revoked.

15 § 1544. Additional period of revocation or suspension.

16 § 1545. Restoration of operating privilege.

17 § 1546. Suspension or revocation of nonresident's

18 operating privilege.

19 § 1547. Chemical test to determine amount of alcohol.

20 § 1548. Post conviction examination for driving

21 under influence.

22 § 1549. Establishment of schools.

23 § 1550. Judicial review.

24 § 1551. Notice of suspension of licenses or permits.

25 Subchapter C. Violations.

26 § 1571. Violations concerning licenses.

27 § 1572. Cancellation of driver's license.

28 § 1573. Driving under foreign license during suspension or

29 revocation.

30 § 1574. Permitting unauthorized person to drive.

1 § 1575. Permitting violation of title.

2 § 1576. Local authorities liable for negligence of their

3 employees.

4 Chapter 17. Financial Responsibility

5 Subchapter A. General Provisions

6 § 1701. Application of chapter.

7 § 1702. Administration of chapter.

8 § 1703. Availability of other remedies.

9 § 1704. Transfer of suspended registration to evade chapter.

10 Subchapter B. Nonpayment of Judgments

11 § 1741. Court reports on nonpayment of judgments.

12 § 1742. Suspension for nonpayment of judgments.

13 § 1743. Continuation of suspension until judgments paid and

14 proof given.

15 § 1744. Payments sufficient to satisfy judgments.

16 § 1745. Installment payment of judgments.

17 § 1746. Proof of financial responsibility after suspension

18 or revocation.

19 § 1747. Providing financial responsibility.

20 Chapter 19. Fees

21 Subchapter A. General Provisions

22 § 1901. Exemption of entities and vehicles from fees.

23 § 1902. Exemptions from other fees.

24 § 1903. Limitation on local license fees and taxes.

25 § 1904. Collection and disposition of fees and moneys.

26 Subchapter B. Registration Fees

27 § 1911. Annual registration fees.

28 § 1912. Passenger cars.

29 § 1913. Motor homes.

30 § 1914. Motorcycles.

- 1 § 1915. Motor-driven cycles.
- 2 § 1916. Trucks and truck-tractors.
- 3 § 1917. Motor buses.
- 4 § 1918. School buses.
- 5 § 1919. Electric vehicles.
- 6 § 1920. Trailers.
- 7 § 1921. Special mobile equipment.
- 8 § 1922. Implements of husbandry.
- 9 § 1923. Antique and classic vehicles.
- 10 § 1924. Farm trucks.
- 11 § 1925. Ambulances, taxis and hearses.
- 12 § 1926. Dealers and miscellaneous motor vehicle business.
- 13 § 1927. Transfer of registration.
- 14 § 1928. Temporary registration plates.
- 15 § 1929. Replacement registration plates.
- 16 § 1930. Legislative registration plates.
- 17 § 1931. Personal registration plates.
- 18 § 1932. Duplicate registration cards.

19 Subchapter C. Permits

- 20 § 1941. Scope of subchapter.
- 21 § 1942. Special hauling permits as to weight and size.
- 22 § 1943. Annual hauling permits.
- 23 § 1944. Mobile homes and similar trailers.
- 24 § 1945. Books of permits.
- 25 § 1946. Movements requiring special escort.
- 26 § 1947. Refund of certain fees.

27 Subchapter D. Miscellaneous Fees

- 28 § 1951. Driver's license and learner's permit.
- 29 § 1952. Certificate of title.
- 30 § 1953. Security interest.

- 1 § 1954. Approval of vehicle equipment and testing devices.
- 2 § 1955. Information concerning drivers and vehicles.
- 3 § 1956. Certified copies of records.
- 4 § 1957. Uncollectible checks.
- 5 § 1958. Certificate of inspection.
- 6 § 1959. Messenger service.

7 PART III. OPERATION OF VEHICLES

8 Chapter 31. General Provisions

9 Subchapter A. Obedience to and Effect of Traffic Laws

- 10 § 3101. Application of part.
- 11 § 3102. Obedience to authorized persons directing traffic.
- 12 § 3103. Persons riding animals or driving animal-drawn
- 13 vehicles.
- 14 § 3104. Persons working on highways.
- 15 § 3105. Drivers of emergency vehicles.
- 16 § 3106. Operators of streetcars.

17 Subchapter B. Traffic-control Devices

- 18 § 3111. Obedience to traffic-control devices.
- 19 § 3112. Traffic-control signals.
- 20 § 3113. Pedestrian-control signals.
- 21 § 3114. Flashing signals.
- 22 § 3115. Lane-direction-control signals.

23 Chapter 33. Rules of the Road in General

24 Subchapter A. General Provisions

- 25 § 3301. Driving on right side of roadway.
- 26 § 3302. Meeting vehicle proceeding in opposite direction.
- 27 § 3303. Overtaking vehicle on the left.
- 28 § 3304. Overtaking vehicle on the right.
- 29 § 3305. Limitations on overtaking on the left.
- 30 § 3306. Limitations on driving on left side of roadway.

1 § 3307. No-passing zones.

2 § 3308. One-way roadways and rotary traffic islands.

3 § 3309. Driving on roadways laned for traffic.

4 § 3310. Following too closely.

5 § 3311. Driving on divided highways.

6 § 3312. Limited-access highway entrances and exits.

7 § 3313. Restrictions on use of limited-access highways.

8 § 3314. Prohibiting use of hearing impairment devices.

9 Subchapter B. Right-of-way

10 § 3321. Vehicle approaching or entering intersection.

11 § 3322. Vehicle turning left.

12 § 3323. Stop signs and yield signs.

13 § 3324. Vehicle entering or crossing roadway.

14 § 3325. Duty of driver on approach of emergency vehicle.

15 § 3326. Duty of driver in construction and maintenance areas.

16 Subchapter C. Turning, Starting and Signals

17 § 3331. Required position and method of turning.

18 § 3332. Limitations on turning around.

19 § 3333. Moving stopped or parked vehicle.

20 § 3334. Turning movements and required signals.

21 § 3335. Signals by hand and arm or signal lamps.

22 § 3336. Method of giving hand and arm signals.

23 Subchapter D. Special Stops Required

24 § 3341. Obedience to signal indicating approach of train.

25 § 3342. Vehicles required to stop at railroad crossings.

26 § 3343. Moving heavy equipment at railroad grade crossings.

27 § 3344. Emerging from alley, driveway or building.

28 § 3345. Meeting or overtaking school bus.

29 Subchapter E. Stopping, Standing and Parking

30 § 3351. Stopping, standing and parking outside business and

1 residence districts.

2 § 3352. Removal of vehicle by or at direction of police.

3 § 3353. Prohibitions in specified places.

4 § 3354. Additional parking regulations.

5 Subchapter F. Speed Restrictions.

6 § 3361. Driving vehicle at safe speed.

7 § 3362. Maximum speed limits.

8 § 3363. Alteration of maximum limits.

9 § 3364. Minimum speed regulation.

10 § 3365. Special speed limitations.

11 § 3366. Charging speed violations.

12 § 3367. Racing on highways.

13 § 3368. Speed timing devices.

14 Chapter 35. Special Vehicles and Pedestrians

15 Subchapter A. Operation of Pedalcycles

16 § 3501. Applicability of traffic laws to pedalcycles.

17 § 3502. Penalty for violation of subchapter.

18 § 3503. Responsibility of parent or guardian.

19 § 3504. Riding on pedalcycles.

20 § 3505. Riding on roadways and pedalcycle paths.

21 § 3506. Articles carried by operator.

22 § 3507. Lamps and other equipment on pedalcycles.

23 § 3508. Pedalcycles on sidewalks and pedalcycle paths.

24 § 3509. Parking.

25 Subchapter B. Special Rules for Motorcycles

26 § 3521. Applicability of traffic laws to motorcycles.

27 § 3522. Riding on motorcycles.

28 § 3523. Operating motorcycles on roadways laned for traffic.

29 § 3524. Footrests and handlebars.

30 § 3525. Protective equipment for motorcycle riders.

1 Subchapter C. Rights and Duties of Pedestrians

2 § 3541. Obedience of pedestrians to traffic-control devices
3 and regulations.

4 § 3542. Right-of-way of pedestrians in crosswalks.

5 § 3543. Pedestrians crossing at other than crosswalks.

6 § 3544. Pedestrians walking along or on highway.

7 § 3545. Pedestrians soliciting rides or business.

8 § 3546. Driving through or around safety zone.

9 § 3547. Right-of-way of pedestrians on sidewalks.

10 § 3548. Pedestrians to yield to authorized emergency vehicles.

11 § 3549. Blind pedestrians.

12 § 3550. Pedestrians under influence of alcohol or controlled
13 substance.

14 § 3551. Compliance with bridge and railroad warning signals.

15 § 3552. Penalty for violation of subchapter.

16 Chapter 37. Miscellaneous Provisions

17 Subchapter A. Offenses in General

18 § 3701. Unattended motor vehicle.

19 § 3702. Limitations on backing.

20 § 3703. Driving upon sidewalk.

21 § 3704. Obstruction to driving view or mechanism.

22 § 3705. Opening and closing vehicle doors.

23 § 3706. Riding in house trailers, mobile homes or boats
24 or trailers.

25 § 3707. Driving or stopping close to fire apparatus.

26 § 3708. Unauthorized driving over fire hose.

27 § 3709. Depositing waste and other material on highway.

28 § 3710. Stopping at intersection or crossing to prevent
29 obstruction.

30 § 3711. Unauthorized persons and devices hanging on

1 vehicles.

2 § 3712. Abandonment and stripping of vehicles.

3 § 3713. Railroad trains not to block crossings.

4 § 3714. Reckless driving.

5 Subchapter B. Serious Traffic Offenses

6 § 3731. Driving under influence of alcohol or controlled
7 substance.

8 § 3732. Homicide by vehicle.

9 § 3733. Fleeing or attempting to elude police officer.

10 § 3734. Driving without lights to avoid identification or
11 arrest.

12 Subchapter C. Accidents and Accident Reports

13 § 3741. Application of subchapter.

14 § 3742. Accidents involving death or personal injury.

15 § 3743. Accidents involving damage to attended vehicle or
16 property.

17 § 3744. Duty to give information and render aid.

18 § 3745. Accidents involving damage to unattended vehicle or
19 property.

20 § 3746. Immediate notice of accident to police department.

21 § 3747. Written report of accident by driver or owner.

22 § 3748. False reports.

23 § 3749. Reports by coroners and medical examiners.

24 § 3750. Reports by garages.

25 § 3751. Reports by police.

26 § 3752. Accident report forms.

27 § 3753. Department to tabulate and analyze accident reports.

28 § 3754. Accident prevention investigations.

29 PART IV. VEHICLE CHARACTERISTICS

30 Chapter 41. Equipment Standards

- 1 § 4101. Purpose of part.
- 2 § 4102. Definitions.
- 3 § 4103. Promulgation of vehicle equipment standards.
- 4 § 4104. Testing and approval of equipment.
- 5 § 4105. Revocation and renewal of certificates of approval.
- 6 § 4106. Market surveillance program.
- 7 § 4107. Unlawful activities.
- 8 § 4108. Injunctive relief.

9 Chapter 43. Lighting Equipment

- 10 § 4301. Promulgation of regulations by department.
- 11 § 4302. Period for requiring lighted lamps.
- 12 § 4303. General lighting requirements.
- 13 § 4304. Obstructed lights not required.
- 14 § 4305. Vehicular hazard signal lamps.
- 15 § 4306. Use of multiple-beam road lighting equipment.
- 16 § 4307. Use and display of illuminated signs.

17 Chapter 45. Other Required Equipment

18 Subchapter A. Brake Equipment

- 19 § 4501. Promulgation of regulations by department.
- 20 § 4502. General requirements for braking systems.

21 Subchapter B. Safety and Anti-pollution Equipment

- 22 § 4521. Promulgation of regulations by department.
- 23 § 4522. Violation of Federal statute or regulation.
- 24 § 4523. Exhaust systems, mufflers and noise control.
- 25 § 4524. Windshield obstructions and wipers.
- 26 § 4525. Tire equipment and traction surfaces.
- 27 § 4526. Safety glass.
- 28 § 4527. Television equipment.
- 29 § 4528. Fire extinguishers.
- 30 § 4529. Slow moving vehicle emblem.

1 § 4530. Portable emergency warning devices.

2 § 4531. Emission control systems.

3 § 4532. Smoke control for diesel-powered motor vehicles.

4 § 4533. Rear wheel shields.

5 § 4534. Rear-view mirrors.

6 § 4535. Audible warning devices.

7 § 4536. Bumpers.

8 Subchapter C. Vehicles for Transportation of School Children

9 § 4551. Safety regulations.

10 § 4552. General requirements for school buses.

11 § 4553. General requirements for other vehicles transporting
12 school children.

13 Subchapter D. Equipment of Authorized and Emergency Vehicles

14 § 4571. Visual and audible signals on emergency vehicles.

15 § 4572. Visual signals on authorized vehicles.

16 Chapter 47. Inspection of Vehicles

17 Subchapter A. Inspection Requirements

18 § 4701. Duty to comply with inspection laws.

19 § 4702. Requirement for periodic inspection of vehicles.

20 § 4703. Operation of vehicle without official certificate of
21 inspection.

22 § 4704. Notice by police officers of violation.

23 § 4705. Inspection of vehicles for transportation of school
24 children.

25 Subchapter B. Official Inspection Stations

26 § 4721. Appointment of official inspection stations.

27 § 4722. Certificate of appointment.

28 § 4723. Certificate of appointment for inspecting fleet
29 vehicles.

30 § 4724. Suspension of certificates of appointment.

1 § 4725. Use of certificate of appointment at official
2 inspection stations.
3 § 4726. Certification of mechanics.
4 § 4727. Issuance of certificate of inspection.
5 § 4728. Display of certificate of inspection.
6 § 4729. Removal of certificate of inspection.
7 § 4730. Violations of use of certificate of inspection.
8 § 4731. Records of inspections and certificates issued.
9 § 4732. Inspection Advisory Board.

10 Chapter 49. Size, Weight and Load

11 Subchapter A. General Provisions

12 § 4901. Scope and application of chapter.
13 § 4902. Restrictions on use of highways and bridges.
14 § 4903. Securing loads in vehicles.
15 § 4904. Limits on number of towed vehicles.
16 § 4905. Safety requirements for towed vehicles.
17 § 4906. Fire apparatus.
18 § 4907. Penalty for violation of chapter.

19 Subchapter B. Width, Height and Length

20 § 4921. Width of vehicles.
21 § 4922. Height of vehicles.
22 § 4923. Length of vehicles.
23 § 4924. Limitations on length of projecting loads.
24 § 4925. Width of projecting loads on passenger vehicles.

25 Subchapter C. Maximum Weights of Vehicles

26 § 4941. Maximum gross weight of vehicles.
27 § 4942. Registered gross weight.
28 § 4943. Maximum axle weight of vehicles.
29 § 4944. Maximum wheel load.
30 § 4945. Penalties for exceeding maximum weights.

1 § 4946. Impoundment of vehicles for nonpayment of overweight
2 fines.

3 § 4947. Disposition of impounded vehicles and loads.

4 § 4948. Maximum weight and seating capacity of buses.

5 Subchapter D. Special Permits for Excessive Size and Weight

6 § 4961. Authority to issue permits.

7 § 4962. Conditions of permits and security for damages.

8 § 4963. Exemptions for vehicles used in State highway
9 construction.

10 § 4964. Oral authorization following emergency or accident.

11 § 4965. Single permits for multiple highway crossings.

12 § 4966. Permit for movement of quarry equipment.

13 § 4967. Permit for movement of implements of husbandry.

14 § 4968. Permit for movement of equipment being manufactured.

15 § 4969. Permit for movement of vehicles with oversize wheels
16 and tires.

17 § 4970. Permit for movement of utility construction equipment.

18 Subchapter E. Measuring and Adjusting Vehicle Size and
19 Weight

20 § 4981. Weighing and measurement of vehicles.

21 § 4982. Reducing or readjusting loads of vehicles.

22 § 4983. Penalty for violation of subchapter.

23 PART V. ADMINISTRATION AND ENFORCEMENT

24 Chapter 61. Powers of Department and Local Authorities

25 Subchapter A. General Provisions

26 § 6101. Applicability and uniformity of title.

27 § 6102. Powers and duties of department and local authorities.

28 § 6103. Promulgation of rules and regulations by department.

29 § 6104. Administrative duties of department.

30 § 6105. Department to prescribe traffic and engineering

1 investigations.

2 § 6106. Designation of emergency vehicles by Pennsylvania

3 State Police.

4 § 6107. Designation of authorized vehicles by department.

5 § 6108. Power of Governor during emergency.

6 § 6109. Specific powers of department and local authorities.

7 § 6110. Regulation of traffic on Pennsylvania Turnpike.

8 § 6111. Regulation of traffic on bridges under authority

9 of interstate commissions.

10 § 6112. Removal of traffic hazards by property owner.

11 § 6113. Control of public travel on private property

12 by owner.

13 § 6114. Limitation on sale, publication and disclosure

14 of records.

15 Subchapter B. Traffic-control Devices

16 § 6121. Uniform system of traffic-control devices.

17 § 6122. Authority to erect traffic-control devices.

18 § 6123. Erection of traffic-control devices while working.

19 § 6124. Erection of traffic-control devices at intersections.

20 § 6125. Display of unauthorized signs, signals or markings.

21 § 6126. Interference with devices, signs or signals.

22 § 6127. Dealing in nonconforming traffic-control devices.

23 Subchapter C. Reciprocity

24 § 6141. Declaration of policy.

25 § 6142. Reciprocity agreements, arrangements and declarations

26 authorized.

27 § 6143. Benefits, privileges and exemptions from taxes and

28 fees.

29 § 6144. Vehicle registration and licensing.

30 § 6145. Proportional registration of fleet vehicles.

- 1 § 6146. Enforcement agreements.
- 2 § 6147. Declaration of reciprocity in absence of agreement.
- 3 § 6148. Applicability to leased vehicles.
- 4 § 6149. Automatic reciprocity.
- 5 § 6150. Proportional registration not exclusive.
- 6 § 6151. Suspension of reciprocity benefits.
- 7 § 6152. Form, publication and distribution of documents.
- 8 § 6153. Existing reciprocity agreements unaffected.

9 Chapter 63. Enforcement

10 Subchapter A. General Provisions

- 11 § 6301. Prosecutions under local ordinances superseded by
- 12 title.
- 13 § 6302. Limitation of actions for summary offenses.
- 14 § 6303. Rights and liabilities of minors.
- 15 § 6304. Authority to arrest without warrant.
- 16 § 6305. Arrest of nonresident.
- 17 § 6306. Costs for summary offenses.
- 18 § 6307. Liability for costs not paid by defendant.
- 19 § 6308. Investigation by police officers.

20 Subchapter B. Records of Traffic Cases

- 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 § 6327. Inspection of records.

28 Subchapter C. Evidentiary Matters

- 29 § 6341. Admissibility of copies of records as evidence.
- 30 § 6342. Registration number as prima facie evidence of

1 operation.

2 Chapter 65. Penalties and Disposition of Fines

3 § 6501. Definition of conviction.

4 § 6502. Summary offenses.

5 § 6503. Subsequent convictions of certain offenses.

6 § 6504. Inability to pay fine and costs.

7 § 6505. Disposition of fines and forfeitures.

8 Chapter 67. Service of Process on Nonresidents

9 § 6701. Service of process on nonresident.

10 § 6702. Residents who depart Commonwealth or whose whereabouts
11 are unknown.

12 § 6703. Personal representatives of nonresidents.

13 § 6704. Manner of service of process.

14 § 6705. Record of service of process.

15 PART VI. MISCELLANEOUS PROVISIONS

16 Chapter 71. Vehicle Theft and Related Provisions

17 Subchapter A. Identification Number

18 § 7101. Requirement for identification number.

19 § 7102. Removal or falsification of identification
20 number.

21 § 7103. Dealing in vehicles with removed or
22 falsified numbers.

23 § 7104. State replacement vehicle identification
24 number plate.

25 § 7105. Seizure of vehicles with removed or
26 falsified numbers.

27 Subchapter B. Stolen Vehicles

28 § 7111. Dealing in titles and plates for stolen vehicles.

29 § 7112. False report of theft or conversion of vehicle.

30 § 7113. Reporting stolen and recovered vehicles.

1 § 7114. Records of stolen vehicles.

2 § 7115. Application for certificate of title of a stolen
3 vehicle.

4 § 7116. Fraudulent removal of vehicle from garage.

5 Subchapter C. Misuse of Documents and Plates

6 § 7121. False application for certificate of title or
7 registration.

8 § 7122. Altered, forged or counterfeit documents and plates.

9 § 7123. Sale or purchase of certificate or other document.

10 § 7124. Fraudulent use or removal of registration plate.

11 Chapter 73. Abandoned Vehicles and Cargos

12 § 7301. Authorization of salvors.

13 § 7302. Certificate of authorization.

14 § 7303. Suspension of authorization.

15 § 7304. Reports to department of possession of abandoned
16 vehicles.

17 § 7305. Notice to owner and lienholders of abandoned vehicles.

18 § 7306. Payment of costs upon reclaiming vehicle.

19 § 7307. Authorization for disposal of unclaimed vehicles.

20 § 7308. Public sale of unclaimed vehicles with value.

21 § 7309. Junking of vehicles valueless except for junk.

22 § 7310. Removal of vehicles and spilled cargo from roadway.

23 § 7311. Reports by garage keepers of abandoned vehicles.

24 § 7312. Penalty for violation of chapter.

25 Chapter 75. Messenger Service

26 § 7501. Authorization of messenger service.

27 § 7502. Certificate of authorization.

28 § 7503. Suspension of authorization.

29 § 7504. Place of business.

30 § 7505. Transaction of business with department.

1 § 7506. Violations and penalties.

2 Chapter 77. Snowmobiles

3 Subchapter A. General Provisions

4 § 7701. Short title of chapter.

5 § 7702. Definitions.

6 § 7703. Applicability of chapter.

7 § 7704. Rules and regulations.

8 § 7705. Disposition of fines and penalties.

9 § 7706. Restricted receipts fund.

10 Subchapter B. Registration

11 § 7711. Registration of dealers.

12 § 7712. Registration of snowmobiles.

13 § 7713. Certificates of registration and decals.

14 § 7714. Exemptions from registration.

15 § 7715. Reciprocity.

16 § 7716. Central registration file.

17 Subchapter C. Operation

18 § 7721. Operation on streets and highways.

19 § 7722. Designation of snowmobile roads.

20 § 7723. Special snowmobile events.

21 § 7724. Operation on private or State property.

22 § 7725. Operation by persons under age sixteen.

23 § 7726. Operation in safe manner.

24 § 7727. Additional limitations on operation.

25 § 7728. Accidents and accident reports.

26 § 7729. Liability of owner for negligence.

27 Subchapter D. Equipment

28 § 7741. Head lamps and tail lamps.

29 § 7742. Brakes.

30 § 7743. Mufflers and noise control.

Subchapter E. Miscellaneous Provisions

§ 7751. Enforcement personnel and procedures.

§ 7752. Penalties for violation of chapter.

§ 7753. Actions for collection of penalties.

Chapter 81. Interstate Compacts and Agreements

Subchapter A. Bus Taxation Proration Agreement

§ 8101. Bus taxation proration agreement enacted.

§ 8102. Secretary of Transportation to be administrator.

§ 8103. Exemptions from agreement and changes in reporting.

§ 8104. Governor to give notice of withdrawal from agreement.

§ 8105. Applicability of other provisions of title.

Subchapter B. Vehicle Equipment Safety Compact

§ 8111. Vehicle equipment safety compact enacted.

§ 8112. Legislative findings.

§ 8113. Applicability of other provisions of title.

§ 8114. Statutory approval of commission rule, regulation or order.

§ 8115. Secretary of Transportation to be commissioner.

§ 8116. State employees retirement coverage for commission employees.

§ 8117. Cooperation of State agencies with commission.

§ 8118. Document filings and notices under bylaws.

§ 8119. Submission of commission budgets.

§ 8120. Inspection of commission accounts by Auditor General.

§ 8121. Governor as executive head.

§ 8122. Penalty for violation of compact.

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

Section 1. Title 75, act of November 25, 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated Statutes, is

1 amended by adding parts to read:

2 TITLE 75

3 VEHICLES

4 Part

5 I. Preliminary Provisions

6 II. Title, Registration and Licensing

7 III. Operation of Vehicles

8 IV. Vehicle Characteristics

9 V. Administration and Enforcement

10 VI. Miscellaneous Provisions

11 PART I

12 PRELIMINARY PROVISIONS

13 Chapter

14 1. General Provisions

15 CHAPTER 1

16 GENERAL PROVISIONS

17 Sec.

18 101. Short title of title.

19 102. Definitions.

20 103. Uniformity of interpretation.

21 104. Continuation of existing law.

22 § 101. Short title of title.

23 This title shall be known and may be cited as the "Vehicle
24 Code."

25 § 102. Definitions.

26 Subject to additional definitions contained in subsequent
27 provisions of this title which are applicable to specific
28 provisions of this title, the following words and phrases when
29 used in this title shall have, unless the content clearly
30 indicates otherwise, the meanings given to them in this section:

1 "Abandoned vehicle."

2 (1) A vehicle (other than a pedalcycle):

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

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

7 (iii) without a valid registration plate or
8 certificate of inspection or title left unattended on or
9 along a highway; or

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

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

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

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

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

1 "Bus." A motor vehicle designed for carrying more than ten
2 passengers, exclusive of the driver, and used for the
3 transportation of persons and a motor vehicle, other than a
4 taxicab, designed and used for the transportation of persons for
5 compensation.

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

13 "Classic motor vehicle." A self-propelled vehicle, but not a
14 reproduction thereof, manufactured more than ten years prior to
15 the current year and, because of discontinued production and
16 limited availability, determined by the department to be a model
17 or make of significant value to collectors or exhibitors and
18 which has been maintained in or restored to a condition which is
19 substantially in conformity with manufacturer specifications and
20 appearance.

21 "Combination." Two or more vehicles physically
22 interconnected in tandem.

23 "Crosswalk."

24 (1) That part of a roadway at an intersection included
25 within the connections of the lateral lines of the sidewalks
26 on opposite sides of the highway, measured from the curbs or,
27 in the absence of curbs, from the edges of the traversable
28 roadway; and, in the absence of a sidewalk on one side of the
29 roadway, that part of a roadway included within the extension
30 of the lateral lines of the existing sidewalk.

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

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

6 "Department." The Department of Transportation of the
7 Commonwealth.

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

12 "Driveaway-towaway operation." Any operation in which any
13 motor vehicle, trailer or semi-trailer, singly or in
14 combination, constitutes the commodity being transported, when
15 one set or more of wheels of the vehicle are on the highway
16 during the course of transportation, whether or not the vehicle
17 furnished the motive power.

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

20 "Driver's license." A license or permit to drive a motor
21 vehicle issued under this title.

22 "Emergency vehicle." A fire department vehicle, police
23 vehicle, ambulance, blood-delivery vehicle, armed forces
24 emergency vehicle, one private vehicle of a fire or police chief
25 or assistant chief or ambulance corps commander or assistant
26 commander or of a river rescue commander used for answering
27 emergency calls or other vehicle designated by the State Police
28 under section 6106 (relating to designation of emergency
29 vehicles by Pennsylvania State Police).

30 "Engineering and traffic study." An orderly examination or

1 analysis of physical features and traffic conditions conducted
2 in accordance with regulations of the department and conforming
3 to generally accepted engineering standards and practices for
4 the purpose of ascertaining the need or lack of need for a
5 particular action by the department or local authorities.

6 "Essential parts." All integral and body parts of a vehicle
7 of a type required to be registered under this title, the
8 removal, alteration or substitution of which would tend to
9 conceal the identity of the vehicle or substantially alter its
10 appearance, model, type or mode of operation.

11 "Established place of business." The place actually occupied
12 either continuously or at regular periods by a dealer,
13 manufacturer or other vehicle-related business where the books
14 and records are kept and a large share of the business is
15 transacted.

16 "Exhibit." Surrender of a document into the temporary
17 possession of a person for the purpose of examining the
18 document.

19 "Farm truck." A truck determined by the department to be used
20 exclusively for agricultural purposes.

21 "Fleet owner." A person, Federal, State or local government
22 agency or authority owning or leasing 15 or more vehicles who or
23 which provides servicing and repair of the vehicles.

24 "Foreign vehicle." A vehicle of a type required to be
25 registered under this title brought into this Commonwealth from
26 another state, territory or country other than in the ordinary
27 course of business by or through a manufacturer or dealer and
28 not registered in this Commonwealth.

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

1 "Full trailer." A trailer so constructed that no part of its
2 weight rests upon the towing vehicle. A semi-trailer attached to
3 a towing vehicle by means of an auxiliary front axle or dolly
4 shall be deemed to be a full trailer.

5 "Gross combination weight rating (GCWR)." The value
6 specified by the manufacturer as the loaded weight of a
7 combination.

8 "Gross vehicle weight rating (GVWR)." The value specified on
9 the Federal weight certification label by the manufacturer as
10 the loaded weight of a single vehicle.

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

13 "Highway." The entire width between the boundary lines of
14 every way publicly maintained when any part thereof is open to
15 the use of the public for purposes of vehicular travel. The term
16 includes a roadway open to the use of the public for vehicular
17 travel on grounds of a college or university or public or
18 private school or public or historical park.

19 "House trailer."

20 (1) A trailer which is designed, constructed and
21 equipped as a dwelling place, living abode or sleeping place
22 (either permanently or temporarily) and is equipped for use
23 as a conveyance on streets and highways.

24 (2) A trailer containing a chassis and exterior shell
25 designed and constructed for use as a house trailer, as
26 defined in paragraph (1), but which is used permanently or
27 temporarily for advertising, sales, display or promotion of
28 merchandise or services, or for any other commercial purpose
29 except the transportation of property.

30 "Implement of husbandry." A vehicle designed or adapted and

1 determined by the department to be used exclusively for
2 agricultural operations and only incidentally operated or moved
3 upon highways.

4 "Intersection."

5 (1) The area embraced within the prolongation or
6 connection of the lateral curb lines, or, if none, then the
7 lateral boundary lines of the roadways of two highways which
8 join one another at, or approximately at, right angles, or
9 the area within which vehicles traveling upon different
10 highways joining at any other angle may come in conflict.

11 (2) Where a highway includes two roadways 30 feet or
12 more apart, then every crossing of each roadway of the
13 divided highway by an intersecting highway shall be regarded
14 as a separate intersection. In the event the intersecting
15 highway also includes two roadways 30 feet or more apart,
16 then every crossing of two roadways of the highways shall be
17 regarded as a separate intersection.

18 "Issuing authority." A public official having the power and
19 authority of a justice of the peace, magistrate or district
20 justice.

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

23 "Learner's permit." A permit issued for the purpose of
24 learning to operate a motor vehicle.

25 "Lienholder." A person holding a security interest in a
26 vehicle.

27 "Limited access highway." A highway in respect to which
28 owners or occupants of abutting lands and other persons have no
29 legal right of access except at points and in the manner
30 determined by the authority having jurisdiction over the

1 highway.

2 "Local authorities." County, municipal and other local
3 boards or bodies having authority to enact laws relating to
4 traffic.

5 "Manufacturer." A person engaged in the business of
6 constructing or assembling vehicles or motors or bodies of
7 vehicles.

8 "Manufacturer's shipping weight." The weight of a vehicle
9 including all installed options as delivered for retail sale by
10 the final stage manufacturer and as indicated on the
11 manufacturer's certificate of origin.

12 "Messenger service." A person who, for a fee, advertises,
13 offers or provides to the public the service of obtaining from
14 the department vehicle titles, registrations, drivers' licenses
15 and similar documents. A dealer who obtains documents only for
16 purchasers of vehicles from the dealer is not a messenger
17 service.

18 "Mobile home." A trailer designed and used exclusively for
19 living quarters or commercial purposes which exceeds the maximum
20 size limitations prescribed by this title for operation on a
21 highway and is only incidentally operated on a highway,
22 including a unit transported on a removable or non-removable
23 frame designed so as to be assembled together with another unit
24 or units into a structure which is used exclusively for living
25 quarters, commonly known as a "modular unit."

26 "Motor home." A motor vehicle designed or adapted for use as
27 a mobile dwelling or office, except a motor vehicle equipped
28 with a truck camper.

29 "Motor vehicle." A vehicle which is self-propelled except
30 one which is propelled solely by human power or by electric

1 power obtained from overhead trolley wires, but not operated
2 upon rails.

3 "Motorcycle." A motor vehicle having a seat or saddle for
4 the use of the rider and designed to travel on not more than
5 three wheels in contact with the ground.

6 "Motor-driven cycle." A motorcycle, including a motor
7 scooter, with a motor which produces not to exceed five brake
8 horsepower, and every pedalcycle with motor attached.

9 "Motorized pedalcycle." A motor-driven cycle equipped with
10 operable pedals, a motor rated no more than 1.5 brake
11 horsepower, a cylinder capacity not exceeding 50 cubic
12 centimeters, an automatic transmission, and a maximum design
13 speed of no more than 25 miles per hour.

14 "Nondivisible." Incapable of being divided into parts or
15 dismembered without substantially damaging its usefulness or
16 value.

17 "Nonresident." A person who is not a resident of this
18 Commonwealth.

19 "Number." When used in the context of identification means a
20 series of numerals or letters or both, with or without a prefix
21 or suffix.

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

26 "Operating privilege." The privilege to apply for and obtain
27 a license to use as well as the privilege to use a vehicle on a
28 highway as authorized in this title, but not a contract,
29 property right or civil right.

30 "Overtime parking." The continuous parking of a vehicle for

1 a period of time exceeding the maximum period established by
2 law.

3 "Owner." A person, other than a lienholder, having the
4 property right in or title to a vehicle. The term includes a
5 person entitled to the use and possession of a vehicle subject
6 to a security interest in another person, but excludes a lessee
7 under a lease not intended as security.

8 "Park" or "parking."

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

11 (2) When prohibited, means the halting of a vehicle,
12 whether occupied or not, except momentarily for the purpose
13 of and while actually engaged in loading or unloading
14 property or passengers.

15 "Passenger car." A motor vehicle, except a motorcycle,
16 designed for carrying ten passengers or less, and primarily used
17 for the transportation of persons.

18 "Pedalcycle." A vehicle propelled solely by human-powered
19 pedals.

20 "Pedestrian." A natural person afoot.

21 "Pennsylvania Turnpike." The highway system owned and
22 operated by the Pennsylvania Turnpike Commission.

23 "Person." A natural person, firm, copartnership, association
24 or corporation.

25 "Police officer." A natural person authorized by law to make
26 arrests for violations of law.

27 "Private road or driveway." A way or place in private
28 ownership and used for vehicular travel by the owner and those
29 having express or implied permission from the owner, but not by
30 other persons.

1 "Proof of insurance." A card issued by an insurance carrier
2 in compliance with regulations of the Insurance Commissioner
3 evidencing that the vehicle is covered by the insurance required
4 in section 104(a) of the act of July 19, 1974 (P.L.489, No.176),
5 known as the "Pennsylvania No-fault Motor Vehicle Insurance Act"
6 and regulations issued thereunder, or a card evidencing that the
7 vehicle is self-insured in compliance with that act and
8 regulations.

9 "Railroad grade crossing." One or more railroad tracks, but
10 not streetcar tracks, which intersect or cross a highway at the
11 same level or grade.

12 "Railroad sign or signal." A sign, signal or device erected
13 by authority of a public body or official or by a railroad and
14 intended to give notice of the presence of railroad tracks or
15 the approach of a railroad train.

16 "Recall." To withdraw by formal action of the department for
17 an indefinite period the operating privilege of a person for
18 reasons of incompetency.

19 "Reconstructed vehicle." A vehicle materially altered from
20 its original construction by the removal, addition or
21 substitution of essential parts, new or used, or a vehicle,
22 other than an antique or classic vehicle, for which a
23 certificate of junk was issued and is thereafter restored to
24 operating condition.

25 "Recreational trailer." A trailer designed or adapted and
26 used exclusively for recreational purposes.

27 "Registered gross weight." The maximum gross weight at which
28 a vehicle or combination is registered in this Commonwealth to
29 operate upon a highway.

30 "Registration." The authority for a vehicle to operate on a

1 highway as evidenced by the issuance of an identifying card and
2 plate or plates.

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

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

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

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

23 "Roadway." That portion of a highway improved, designed or
24 ordinarily used for vehicular travel, exclusive of the sidewalk,
25 berm or shoulder even though such sidewalk, berm or shoulder is
26 used by pedalcycles. In the event a highway includes two or more
27 separate roadways the term "roadway" refers to each roadway
28 separately but not to all such roadways collectively.

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

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

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

7 "Scrap metal processor." A person whose principal business
8 is the operation of an establishment having facilities for
9 processing iron, steel or non-ferrous scrap metals, and whose
10 principal product is scrap iron, scrap steel or non-ferrous
11 scrap for resale for remelting purposes only.

12 "Secretary." The Secretary of Transportation of the
13 Commonwealth.

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

20 "Semi-trailer." A trailer so constructed that some part of
21 its weight rests upon or is carried by the towing vehicle.

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

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

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

28 "Special mobile equipment." Vehicles not designed or used
29 primarily for the transportation of persons or property and only
30 incidentally operated or moved over a highway, including but not

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

11 "Specially constructed vehicle." A vehicle not originally
12 constructed under a distinctive name, make, model or type by a
13 generally recognized manufacturer of vehicles.

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

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

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

24 "Stop" or "stopping."

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

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

1 signal.

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

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

8 "Taxi." A motor vehicle designed for carrying no more than
9 eight passengers, exclusive of the driver, on a call and demand
10 service, 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 "Trafficway." The entire width between property lines or
29 other boundary lines of every way or place of which any part is
30 open to the public for purposes of vehicular travel as a matter

1 of right or custom.

2 "Trailer." A vehicle designed to be towed by a motor
3 vehicle.

4 "Truck." A motor vehicle designed, used or maintained
5 primarily for the transportation of property.

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

9 "Truck tractor." A motor vehicle designed and used primarily
10 for drawing other vehicles and not so constructed as to carry a
11 load other than a part of the weight of the vehicle and load so
12 drawn.

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

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

26 "Valueless except for junk." A vehicle which is inoperable
27 or unable to meet the vehicle equipment and inspection standards
28 under Part IV (relating to vehicle characteristics) to the
29 extent that the cost of repairs would exceed the value of the
30 repaired vehicle. The term does not include a vehicle which

1 would qualify as an antique or classic vehicle except for its
2 lack of restoration or maintenance.

3 "Vehicle." Every device in, upon or by which any person or
4 property is or may be transported or drawn upon a highway,
5 except devices used exclusively upon rails or tracks.

6 "Vehicle identification number." A combination of numerals or
7 letters or both which the manufacturer assigns to a vehicle for
8 identification purposes, or, in the absence of a manufacturer-
9 assigned number, which the department assigns to a vehicle for
10 identification purposes.

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

13 § 103. Uniformity of interpretation.

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

17 § 104. Continuation of existing law.

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

21 PART II

22 TITLE, REGISTRATION AND LICENSING

23 Chapter

24 11. Certificate of Title and Security Interests

25 13. Registration of Vehicles

26 15. Licensing of Drivers

27 17. Financial Responsibility

28 19. Fees

29 CHAPTER 11

30 CERTIFICATE OF TITLE AND SECURITY INTERESTS

1 Subchapter

2 A. Certificate of Title

3 B. Security Interests

4 SUBCHAPTER A

5 CERTIFICATE OF TITLE

6 Sec.

7 1101. Certificate of title required.

8 1102. Vehicles not requiring certificate of title.

9 1103. Application for certificate of title.

10 1104. Examination of records upon receipt of application.

11 1105. Issuance of certificate of title.

12 1106. Content and effect of certificate of title.

13 1107. Delivery of certificate of title.

14 1108. Registration without certificate of title.

15 1109. Refusing issuance of certificate of title.

16 1110. Duplicate certificate of title to replace original.

17 1111. Transfer of ownership of vehicle.

18 1112. Disclosure of odometer reading and tampering with
19 odometer.

20 1113. Transfer to or from manufacturer or dealer.

21 1114. Transfer of vehicle by operation of law.

22 1115. Correction of certificate of title.

23 1116. Issuance of new certificate following transfer.

24 1117. Vehicle destroyed or junked.

25 1118. Suspension and cancellation of certificate of title.

26 1119. Application for certificate of title by agent.

27 § 1101. Certificate of title required.

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

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

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

1 no certificate of title has been issued by the department shall
2 make application to the department for a certificate of title of
3 the vehicle.

4 (b) Registration without certificate prohibited.--The
5 department shall not register or renew the registration of a
6 vehicle unless a certificate of title has been issued by the
7 department to the owner or an application for a certificate of
8 title has been delivered by the owner to the department.

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

11 § 1102. Vehicles not requiring certificate of title.

12 No certificate of title shall be issued for:

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

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

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

19 (4) A vehicle owned by a nonresident of this
20 Commonwealth and not required by law to be registered in this
21 Commonwealth.

22 (5) A vehicle owned by a resident legally required to be
23 registered in another state, based and used principally
24 outside of this Commonwealth, and not required by law to be
25 registered in this Commonwealth.

26 (6) A vehicle regularly engaged in the interstate
27 transportation of persons or property for which a currently
28 effective certificate of title has been issued in another
29 state.

30 (7) A vehicle moved solely by human or animal power.

1 (8) An implement of husbandry unless required to be
2 registered.

3 (9) Special mobile equipment unless required to be
4 registered.

5 (10) A mobile home.

6 § 1103. Application for certificate of title.

7 (a) Contents of application.--Application for a certificate
8 of title shall be made upon a form prescribed and furnished by
9 the department and shall contain a full description of the
10 vehicle, the vehicle identification number, date of purchase,
11 the actual or bona fide name and address of the owner, a
12 statement of the title of applicant, together with any other
13 information or documents the department requires to identify the
14 vehicle and to enable the department to determine whether the
15 owner is entitled to a certificate of title and the amount and
16 description of any security interests in the vehicle.

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

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

4 (d) Vehicles purchased from dealers.--If the application
5 refers to a vehicle purchased from a dealer, the dealer shall
6 mail or deliver the application to the department within ten
7 days of the date of purchase. The application shall contain the
8 names and addresses of any lienholders in order of priority, the
9 amounts and the dates of the security agreements, and be
10 assigned by the dealer to the owner and signed by the owner. Any
11 dealer violating this subsection is guilty of a summary offense
12 and shall, upon conviction, be sentenced to pay a fine of \$50
13 for each violation. The requirement that the dealer mail or
14 deliver the application to the department does not apply to
15 vehicles purchased by fleet owners or governmental or quasi-
16 governmental agencies.

17 (e) Out-of-state vehicles.--If the application refers to a
18 vehicle last previously titled or registered in another state or
19 country, the following information shall be contained in or
20 accompany the application or be forwarded in support of the
21 application as required by the department:

22 (1) Any certificate of title issued by the other state
23 or country.

24 (2) A tracing of the vehicle identification number taken
25 from the official number plate or, where it is impossible to
26 secure a legible tracing, the verification of a person
27 authorized by the department that the vehicle identification
28 number of the vehicle has been inspected and found to conform
29 to the description given in the application.

30 (3) Any other information and documents the department

1 reasonably requires to establish the ownership of the vehicle
2 and the existence or non-existence of security interests in
3 the vehicle.

4 (f) Foreign vehicles owned by military personnel.--If the
5 application refers to a vehicle last previously registered in
6 another country by a person on active duty in the armed forces
7 of the United States, the department may accept a complete form
8 issued by the United States Department of Defense as evidence of
9 ownership.

10 (g) Specially constructed or reconstructed vehicles.--If the
11 vehicle to be titled is a specially constructed or reconstructed
12 vehicle, that fact shall be stated in the application. The
13 department may promulgate rules and regulations pertaining to
14 the titling of specially constructed or reconstructed vehicles.

15 § 1104. Examination of records upon receipt of application.

16 The department, upon receiving an application for a
17 certificate of title, shall check the vehicle identification
18 number shown in the application against the records of vehicles
19 required to be maintained under section 1105 (relating to
20 issuance of certificate of title) and against the record of
21 stolen vehicles required to be maintained under section 7114
22 (relating to records of stolen vehicles). If the record
23 indicates that the vehicle is stolen, the application and
24 accompanying documents may be retained by the department pending
25 investigation.

26 § 1105. Issuance of certificate of title.

27 (a) General rule.--The department shall file each
28 application received and, when satisfied as to the genuineness
29 and regularity of the application and that the applicant is
30 entitled to the issuance of a certificate of title, shall issue

1 a certificate of title for the vehicle. The department shall use
2 reasonable diligence in ascertaining whether or not the facts
3 stated in the application are true.

4 (b) Maintenance of records.--The department shall maintain a
5 record of all certificates of title issued by the department as
6 follows:

7 (1) Under a distinctive title number assigned to the
8 vehicle.

9 (2) Under the vehicle identification number.

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

11 (4) In the discretion of the department, by any other
12 method determined by the department.

13 § 1106. Content and effect of certificate of title.

14 (a) Vehicle identification and encumbrances.--A certificate
15 of title shall contain such description and other evidence of
16 identification of the vehicle for which it is issued as the
17 department may deem necessary, together with a statement of any
18 liens or encumbrances including the names and addresses of the
19 holder or holders of the liens or encumbrances.

20 (b) Indication of special prior use.--No person shall assign
21 a certificate of title to any vehicle having seating capacity
22 for nine or less occupants which has been used as a taxicab, for
23 the carrying of passengers for hire or as a police car, unless
24 the certificate clearly contains notice that the vehicle has
25 been so used. Indication of such use shall be deemed part of the
26 description of the vehicle. Any person violating this subsection
27 is guilty of a summary offense and shall, upon conviction, be
28 sentenced to pay a fine of \$50.

29 (c) Certificate as evidence and notice.--A certificate of
30 title issued by the department is prima facie evidence of the

1 facts appearing on the certificate. The certificate shall be
2 adequate notice to the Commonwealth, creditors, subsequent
3 lienholders and purchasers that a lien against the vehicle
4 exists.

5 § 1107. Delivery of certificate of title.

6 The certificate of title shall be mailed to the first
7 lienholder or encumbrancer named in the certificate or, if there
8 is no lienholder or encumbrance, the title shall be mailed or
9 delivered to the owner in accordance with the department
10 regulations.

11 § 1108. Registration without certificate of title.

12 If the department is not satisfied as to the ownership of the
13 vehicle or that there are no undisclosed security interests in
14 the vehicle, the department may register the vehicle but shall
15 withhold issuance of a certificate of title until the applicant
16 presents documents reasonably sufficient to satisfy the
17 department as to the ownership by the applicant of the vehicle
18 and that there are no undisclosed security interests in the
19 vehicle.

20 § 1109. Refusing issuance of certificate of title.

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

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

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

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

28 (4) That the application contains a false or fraudulent
29 statement.

30 (5) That the applicant has failed to furnish required

information or documents or any additional information the department reasonably requires.

§ 1110. Duplicate certificate of title to replace original.

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

(b) Status of original and duplicate.--If the original certificate of title is found after the duplicate is issued, the original title shall be returned to the department with an explanation. Only the duplicate title is valid once issued. Subsequent transfer of ownership can be made only on the duplicate.

§ 1111. Transfer of ownership of vehicle.

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

(b) Duty of transferee.--Except as otherwise provided in section 1113 (relating to transfer to or from manufacturer or dealer), the transferee shall, within five days of the assignment or reassignment of the certificate of title, apply

1 for a new title by presenting to the department the properly
2 completed certificate of title, sworn to before a notary public
3 or other officer empowered to administer oaths, and accompanied
4 by such forms as the department may require.

5 (c) Penalty.--Any person violating subsection (a) shall be
6 guilty of a summary offense and shall, upon conviction, be
7 sentenced:

8 (1) For a first offense, to pay a fine of \$100.

9 (2) For a subsequent offense, to pay a fine of not less
10 than \$300 nor more than \$1,000.

11 § 1112. Disclosure of odometer reading and tampering with
12 odometer.

13 (a) Statement by transferor of odometer reading.--Each
14 transferor of a motor vehicle shall furnish to the transferee at
15 the time of transfer a written statement disclosing the odometer
16 reading of the vehicle at the time of transfer and the date of
17 the transfer. The statement shall be signed by the transferor on
18 such form as the department may prescribe.

19 (b) Statement when actual mileage unknown.--If the
20 transferor knows that the odometer reading differs from the
21 number of miles the vehicle has actually traveled, and that the
22 difference is greater than that caused by odometer calibration
23 error, the transferor shall include a statement that the actual
24 vehicle mileage is unknown.

25 (c) Tampering with odometer.--Except for purposes of repair
26 or replacement, it is unlawful for any person to disconnect,
27 turn back, tamper with or reset an odometer of any motor
28 vehicle.

29 (d) Exceptions.--The transferor of the following types of
30 motor vehicles need not disclose the odometer reading of the

1 vehicle:

2 (1) A motor vehicle having a registered gross weight of
3 more than 17,000 pounds.

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

5 (3) A motor vehicle transferred between dealers prior to
6 first retail sale.

7 (e) Penalties.--Any person violating subsection (a) or (b)
8 is guilty of a summary offense and shall, upon conviction, be
9 sentenced to pay a fine of \$100. Any person violating subsection
10 (c) is guilty of a summary offense and shall, upon conviction,
11 be sentenced to pay a fine of \$300.

12 § 1113. Transfer to or from manufacturer or dealer.

13 (a) Transfer to manufacturer or dealer.--When the purchaser
14 or transferee of a vehicle is a manufacturer or registered
15 dealer who holds the vehicle for resale, a certificate of title
16 need not be applied for as provided for in section 1111
17 (relating to transfer of ownership of vehicle) but the
18 transferee shall, within seven days from the date of assignment
19 of the certificate of title to the manufacturer or dealer,
20 forward to the department, upon a form prescribed and furnished
21 by the department, notification of the acquisition of the
22 vehicle. Notification as authorized in this section may not be
23 used in excess of three consecutive transactions after which
24 time an application shall be made for a certificate of title.

25 (b) Execution and display of notice of transfer.--The
26 manufacturer or dealer making notification as to any vehicle
27 acquired pursuant to subsection (a) shall execute at least three
28 copies, the original of which shall be forwarded to the
29 department, one copy to accompany the vehicle on any subsequent
30 transfer and one copy to be retained by the manufacturer or

1 dealer for at least one year after a subsequent transfer, to be
2 exhibited, with the assigned certificate of title, upon request
3 of any police officer or authorized department employee.

4 (c) Transfer from manufacturer or dealer.--The manufacturer
5 or dealer, upon transferring his interest in the vehicle, shall,
6 except as otherwise provided in this section when the transferee
7 is another manufacturer or dealer, execute an assignment and
8 warranty of title to the transferee in the space provided on the
9 certificate or as the department prescribes. The transferee
10 shall complete the application for certificate of title in the
11 name of the transferee. The certificate of title and any other
12 required forms shall be forwarded by the dealer or manufacturer
13 to the department within five days of the transfer.

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

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

21 § 1114. Transfer of vehicle by operation of law.

22 (a) General rule.--If the interest of an owner in a vehicle
23 passes to another other than by voluntary transfer, the
24 transferee shall, except as otherwise provided, promptly mail or
25 deliver to the department the last certificate of title, if
26 available, and shall apply for a new certificate of title on a
27 form prescribed and furnished by the department. The application
28 shall be accompanied by such instruments or documents of
29 authority, or certified copies thereof, as may be sufficient or
30 required by law to evidence or effect a transfer of title or

1 interest in or to chattels in such case.

2 (b) Transfer to surviving spouse.--Transfer of a certificate
3 of title to a surviving spouse, or any person designated by the
4 spouse, may be made without the necessity of filing for letters
5 of administration notwithstanding the fact that there are minor
6 children surviving the decedent provided the surviving spouse
7 files an affidavit that all the debts of the decedent have been
8 paid.

9 (c) Surrender of certificate.--A person holding a
10 certificate of title whose interest in a vehicle has been
11 extinguished or transferred other than by voluntary transfer
12 shall immediately surrender the certificate of title to the
13 person to whom the right to possession of the vehicle has
14 passed. Upon request of the department, such person shall mail
15 or deliver the certificate to the department. Delivery of the
16 certificate pursuant to the request of the department does not
17 affect the rights of the person surrendering the certificate.

18 § 1115. Correction of certificate of title.

19 (a) General rule.--When any certificate of title has been
20 issued in error to a person not entitled to the certificate or
21 contains incorrect information or information has been omitted
22 from the certificate, the department shall notify in writing the
23 person to whom the certificate has been issued or delivered and
24 such person shall immediately return the certificate of title
25 within 48 hours, together with any other information necessary
26 for the adjustment of the department records, and, upon receipt
27 of the certificate, the department shall cancel the certificate
28 and issue a corrected certificate of title.

29 (b) Change in material information on certificate.--If any
30 material information on the certificate of title is changed or

1 different from the information originally set forth, the owner
2 shall immediately inform the department and apply for a
3 corrected certificate of title. For the purposes of this
4 subsection, a change of address shall not be deemed material.

5 (c) Seizure of certificate on conviction.--Upon summary
6 conviction for violation of the provisions of this section, the
7 department may delegate authority to any department employee or
8 police officer to seize the certificate of title.

9 § 1116. Issuance of new certificate following transfer.

10 (a) Voluntary transfer.--The department, upon receipt of a
11 properly assigned certificate of title with an application for a
12 new certificate of title, the required fee and any other
13 required documents and articles, shall issue a new certificate
14 of title in the name of the transferee as owner and mail it to
15 the first lienholder named in the certificate or, if none, to
16 the owner.

17 (b) Involuntary transfer.--The department, upon receipt of
18 an application for a new certificate of title by a transferee
19 other than by voluntary transfer, on a form prescribed and
20 furnished by the department together with proper proof
21 satisfactory to the department of the transfer, the required fee
22 and any other required documents and articles, shall issue a new
23 certificate of title in the name of the transferee as owner.

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

28 § 1117. Vehicle destroyed or junked.

29 (a) Application for certificate of junk.--Any owner who
30 transfers a vehicle as scrap, or to be destroyed or junked,

1 shall assign the certificate of title to the person to whom the
2 vehicle is transferred. The transferee shall return the assigned
3 certificate of title to the department immediately with an
4 application for a certificate of junk upon a form furnished and
5 prescribed by the department. An insurer, as defined in the act
6 of July 19, 1974 (P.L.489, No.176), known as the "Pennsylvania
7 No-fault Motor Vehicle Insurance Act," to which title to a
8 vehicle is assigned upon payment to the insured of the
9 replacement value of the vehicle, shall be regarded as a
10 transferee under this subsection.

11 (b) Issuance and effect of certificate of junk.--Upon proper
12 application for a certificate of junk, the department shall
13 issue to the transferee a certificate of junk which shall
14 authorize the holder to possess, transport, or by endorsement,
15 transfer ownership in the junked vehicle, and a certificate of
16 title shall not again be issued for the vehicle except upon
17 application containing the information the department requires,
18 accompanied by any necessary documents or articles.

19 (c) Vehicles with defective or lost title.--Any person on
20 whose property is located a vehicle which is valueless except
21 for junk and which has a faulty, lost or destroyed title may
22 transfer the vehicle to a salvor or to a salvage program
23 operated by a political subdivision for removal to a suitable
24 place of storage or for scrapping, provided the salvor or
25 salvage program complies with the requirements of section 7309
26 (relating to junking of vehicles valueless except for junk),
27 except that the report to the department that the vehicle is
28 valueless except for junk shall be verified by the transferor of
29 the vehicle instead of the police department. The transferee
30 shall return the assigned certificate of title to the department

1 immediately with an application for certificate of junk upon a
2 form furnished and prescribed by the department.

3 (d) Reconstructed vehicle.--If a vehicle, other than an
4 antique or classic vehicle, for which a certificate of junk has
5 been issued is thereafter restored to operating condition, it
6 shall be regarded as a reconstructed vehicle.

7 (e) Transfer to scrap metal processor.--When a scrap metal
8 processor obtains a destroyed or junked vehicle from a licensed
9 salvor, it shall be the duty of the salvor to obtain a
10 certificate of junk therefor. When a scrap metal processor
11 purchases a destroyed or junked vehicle from a person other than
12 a salvor, it shall be the duty of the scrap metal processor to
13 obtain the certificate of junk.

14 (f) Penalty.--Any person violating the provisions of
15 subsections (a) or (e) is guilty of a summary offense and shall,
16 upon conviction, be sentenced to pay a fine of \$200 for each
17 violation.

18 § 1118. Suspension and cancellation of certificate of title.

19 (a) Return of new vehicle.--The department may cancel the
20 certificate of title issued for a new vehicle when it is shown
21 by satisfactory evidence that the vehicle has been returned
22 within the time specified in the department regulations to the
23 manufacturer or dealer from whom obtained.

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

30 (c) Surrender of Pennsylvania certificate in other

1 jurisdiction.--The department, upon receipt of notification from
2 another state or foreign country that a certificate of title
3 issued by the department has been surrendered by the owner in
4 conformity with the laws of the other state or foreign country,
5 may cancel the certificate of title.

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

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

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

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

28 (h) Surrender of certificate.--The department may request
29 the return of certificates of title which have been suspended or
30 cancelled. The owner or person in possession of the

1 certification of title shall immediately mail or deliver the
2 certificate to the department.

3 § 1119. Application for certificate of title by agent.

4 (a) Authorization to make application.--No person shall make
5 application for a certificate of title when acting for another
6 person unless authorization to make the application is in effect
7 and is verified by oath or affirmation of the other person,
8 made, excepting as between lessors and fleet owners as lessees,
9 not more than 15 days before the application is received by the
10 department. Lessors may authorize fleet owners to make
11 application for certificates of title for leased vehicles for
12 periods of up to one year.

13 (b) Certificate not to be assigned in blank.--No person
14 shall make application for, or assign or physically possess, a
15 certificate of title, or direct or allow another person in his
16 employ or control to make application for, or assign or
17 physically possess, a certificate of title, unless the name of
18 the transferee is placed on the assignment of certificate of
19 title simultaneously with the name of the transferor and duly
20 notarized.

21 (c) Persons authorized to hold certificate.--No person shall
22 receive, obtain or hold a certificate of title recorded in the
23 name of another person for the other person who is not in the
24 regular employ of, or not a member of the family of, the other
25 person, unless the person receiving, obtaining or holding the
26 certificate of title has a valid undischarged lien recorded in
27 the department against the vehicle represented by the
28 certificate of title.

29 (d) Penalty.--Any person violating any of the provisions of
30 this section is guilty of a summary offense and shall, upon

1 conviction, be sentenced to pay a fine of \$100.

2 SUBCHAPTER B

3 SECURITY INTERESTS

4 Sec.

5 1131. Applicability of subchapter.

6 1132. Perfection of security interest.

7 1133. Creation of security interest for titled vehicle.

8 1134. Assignment by lienholder of security interest.

9 1135. Satisfaction of security interest.

10 1136. Duty of lienholder to disclose pertinent information.

11 1137. Subchapter exclusive for perfecting security interest.

12 1138. Duration of lien recorded on certificate of title.

13 § 1131. Applicability of subchapter.

14 This subchapter does not apply to or affect:

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

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

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

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

23 § 1132. Perfection of security interest.

24 (a) Validity of unperfected interest.--Unless perfected as
25 provided in this subchapter or excepted by section 1131
26 (relating to applicability of subchapter), a security interest
27 in a vehicle of a type for which a certificate of title is
28 required is not valid against any person as to whose rights an
29 unperfected security interest is subordinate under the
30 provisions of the Pennsylvania Uniform Commercial Code.

1 (b) Method of perfection.--A security interest is perfected
2 by notation thereof by the department on the certificate of
3 title for the vehicle. In order to obtain such notation the
4 lienholder shall deliver to the department the existing
5 certificate of title, if any; an application for a certificate
6 of title upon a form prescribed by the department containing the
7 name and address of the lienholder; and any other information
8 regarding the security interest as may be reasonably required
9 and the required fee.

10 (c) Prior security interest in vehicle from another
11 jurisdiction.--If a vehicle is subject to a security interest
12 when brought into this Commonwealth, the validity of the
13 security interest is determined by the law of the jurisdiction
14 where the vehicle was located when the security interest
15 attached subject to the following:

16 (1) If the parties understood at the time the security
17 interest attached that the vehicle would be kept in this
18 Commonwealth and it was brought into this Commonwealth within
19 30 days thereafter for purposes other than transportation
20 through this Commonwealth, the validity of the security
21 interest in this Commonwealth is determined by the law of
22 this Commonwealth.

23 (2) If the security interest was perfected under the law
24 of the jurisdiction where the vehicle was located when the
25 security interest attached, the following rules apply:

26 (i) If the name of the lienholder is shown on an
27 existing certificate of title issued by the jurisdiction,
28 the security interest continues perfected in this
29 Commonwealth.

30 (ii) If the name of the lienholder is not shown on

1 an existing certificate of title issued by that
2 jurisdiction, the security interest continues perfected
3 in this Commonwealth for four months after a first
4 certificate of title of the vehicle is issued in this
5 Commonwealth, and, thereafter if, within the four-month
6 period, it is perfected in this Commonwealth. The
7 security interest may also be perfected in this
8 Commonwealth after the expiration of the four-month
9 period in which case perfection dates from the time of
10 perfection in this Commonwealth.

11 (3) If the security interest was not perfected under the
12 law of the jurisdiction where the vehicle was located when
13 the security interest attached, it may be perfected in this
14 Commonwealth in which case perfection dates from the time of
15 perfection in this Commonwealth.

16 (4) A security interest may be perfected under paragraph
17 (2)(ii) or paragraph (3) either as provided in subsection (b)
18 or by the lienholder delivering to the department a notice of
19 security interest in the form the department prescribes
20 together with the required fee.

21 § 1133. Creation of security interest for titled vehicle.

22 (a) Application by owner.--If an owner creates a security
23 interest in a vehicle for which a certificate of title has been
24 issued by the Commonwealth, the owner shall immediately execute
25 an application on a form prescribed by the department, naming
26 the lienholder on the certificate, showing the name and address
27 of the lienholder and the date of the security agreement. The
28 certificate of title, together with the application and the
29 required fee, shall be mailed or delivered to the department.

30 (b) Where certificate is in possession of lienholder.--Upon

1 request of the owner or subordinate lienholder, a lienholder in
2 possession of the certificate of title shall mail or deliver the
3 certificate to the department or, upon receipt from the
4 subordinate lienholder of the application of the owner and the
5 required fee, mail or deliver them to the department with the
6 certificate. The delivery of the certificate does not affect the
7 rights of the first lienholder under his security agreement.

8 (c) Endorsement and delivery of certificate.--Upon receipt
9 of the certificate of title, application and the required fees,
10 the department shall endorse on the existing certificate of
11 title, or on a new certificate which it then issues, the name
12 and address of all secured parties and shall mail the
13 certificate of title to the first lienholder named in the
14 certificate.

15 § 1134. Assignment by lienholder of security interest.

16 (a) General rule.--A lienholder may assign, absolutely or
17 otherwise, his security interest in the vehicle to a person
18 other than the owner without affecting the interest of the owner
19 or the validity of the security interest but any person without
20 notice of the assignment is protected in dealing with the
21 lienholder as the holder of the security interest and the
22 lienholder remains liable for any obligations as lienholder
23 until the assignee is named as lienholder on the certificate.

24 (b) Duty of assignee.--The assignee shall deliver to the
25 department the certificate of title and an assignment by the
26 lienholder named in the certificate of title on a form
27 prescribed and furnished by the department and accompanied by
28 the required fee.

29 § 1135. Satisfaction of security interest.

30 (a) Absence of subsequent liens.--Where there are no

subsequent liens upon a vehicle, the following rules apply upon the satisfaction of a security interest in the vehicle:

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

(2) The owner may mail or deliver the certificate of title with proper evidence of satisfaction of the security interest to the department which shall issue a corrected certificate of title without a statement of liens or encumbrances. The corrected certificate of title may also be issued when the outstanding certificate cannot be returned and proper evidence is produced that all recorded security interests have been satisfied.

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

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

(2) Upon the satisfaction of a security interest in a vehicle for which the certificate of title is in the

1 possession of a prior lienholder, the lienholder whose
2 security interest is satisfied shall, immediately upon
3 satisfaction, mail or deliver to the owner proper evidence of
4 the satisfaction and release of the security interest. Upon
5 request of the owner and receipt of the release, the
6 lienholder in possession of the certificate of title shall
7 mail or deliver the certificate of title together with the
8 release to the department. The department shall issue a
9 corrected certificate of title which shall be mailed to the
10 first lienholder.

11 (c) Penalties.--

12 (1) Any person failing to deliver upon demand a
13 satisfied certificate of title as required by subsection
14 (a)(1) is guilty of a summary offense and shall, upon
15 conviction, for a first offense be sentenced to pay a fine of
16 \$50 and for a subsequent offense be sentenced to pay a fine
17 of \$100.

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

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

27 § 1136. Duty of lienholder to disclose pertinent information.

28 A lienholder named in a certificate of title shall, upon
29 written request of the owner or of another lienholder named on
30 the certificate, disclose any pertinent information as to the

1 security agreement and the indebtedness secured by the
2 agreement.

3 § 1137. Subchapter exclusive for perfecting security interest.

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

6 § 1138. Duration of lien recorded on certificate of title.

7 (a) General rule.--A security interest recorded on a
8 certificate of title is effective for a period of five years
9 dating from the time of perfection as provided for in this
10 subchapter.

11 (b) Renewal of lien.--The effectiveness of a lien recorded
12 on the certificate of title lapses on the expiration of the
13 periods specified in subsection (a) unless a continuation
14 statement is filed within the six months immediately preceding
15 expiration. The lien may be renewed for as many one-year periods
16 as may be necessary by the holder of the security interest upon
17 a form furnished by the department, signed by the secured party
18 and accompanied by the fee provided in this title.

19 (c) Corrected certificate when lien expires.--A corrected
20 certificate of title without a statement of liens or
21 encumbrances shall be issued by the department, upon the request
22 of the owner, when the security interests recorded on the
23 certificate of title have expired.

24 CHAPTER 13

25 REGISTRATION OF VEHICLES

26 Subchapter

27 A. General Provisions

28 B. Registration Plates

29 C. Violations and Suspensions

30 SUBCHAPTER A

GENERAL PROVISIONS

Sec.

1301. Driving unregistered vehicle prohibited.

1302. Vehicles subject to registration.

1303. Vehicles of nonresidents exempt from registration.

1304. Registration criteria.

1305. Application for registration.

1306. Grounds for refusing registration.

1307. Period of registration.

1308. Issuance of registration card.

1309. Renewal of registration.

1310. Temporary registration cards.

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

1312. Notice of change of name or address.

1313. Duplicate registration cards.

1314. Transfer of registration.

1315. Operation of vehicle following death of owner.

1316. Department records.

§ 1301. Driving unregistered vehicle prohibited.

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

§ 1302. Vehicles subject to registration.

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

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

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

5 (2) Any implement of husbandry or trailer determined by
6 the department to be used exclusively for agricultural
7 operations and only incidentally operated upon highways.

8 (i) A certificate of exemption shall be required for
9 trailers.

10 (ii) Vehicles exempt from registration under this
11 paragraph shall be used exclusively upon a farm or farms
12 owned or operated by the owner of the vehicle or upon
13 highways between:

14 (A) Parts of one farm.

15 (B) Farms located not more than 25 miles apart.

16 (C) A farm and a place of business located
17 within a radius of 25 miles from the farm for the
18 purpose of buying or selling agricultural commodities
19 or supplies or for the inspection, repair or
20 servicing of the vehicle.

21 (3) Any self-propelled golf cart used for the
22 transportation of persons engaged in the game of golf while
23 crossing any public highway during any game of golf.

24 (4) Any vehicle moved by special permit as provided for
25 in sections 4965 (relating to single permits for multiple
26 highway crossings), 4966 (relating to permit for movement of
27 quarry equipment), and 4970 (relating to permit for movement
28 of utility construction equipment).

29 (5) Any vehicle registered and displaying plates issued
30 in a foreign country by the armed forces of the United States

1 for a period of 45 days from the date of the return of the
2 owner to the United States.

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

6 (7) Any vehicle moved solely by human or animal power.

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

8 (9) Any mobile home.

9 (c) Certificate of title required.--No vehicle shall be
10 registered unless a certificate of title has been obtained, if
11 one is required by Chapter 11 (relating to certificate of title
12 and security interests).

13 § 1303. Vehicles of nonresidents exempt from registration.

14 (a) General rule.--A nonresident owner of any foreign
15 vehicle may operate or permit the operation of the vehicle
16 within this Commonwealth without registering the vehicle in this
17 Commonwealth or paying any fees to the Commonwealth, provided
18 the vehicle at all times when operated in this Commonwealth is
19 duly registered and in full compliance with the registration
20 requirements of the place of residence of the owner and further
21 provided the vehicle is not:

22 (1) used for the transportation of persons for hire,
23 compensation or profit;

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

26 (3) designed, used or maintained primarily for the
27 transportation of property for hire, compensation or profit
28 and not subject to reciprocity under section 6144 (relating
29 to vehicle registration and licensing) or 6149 (relating to
30 automatic reciprocity); or

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

4 (b) Transportation of persons for hire, compensation or
5 profit.--Every owner of a foreign vehicle operated within this
6 Commonwealth for the transportation of persons for hire,
7 compensation or profit either regularly according to schedule or
8 for a period exceeding 30 days in the calendar year, unless
9 exempted from registration under the terms of a reciprocity
10 agreement or pursuant to the act of August 1, 1963 (P.L.479,
11 No.250), relating to Bus Taxation Proration Agreement, shall
12 register the vehicle according to the laws of this Commonwealth.

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

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

25 (e) Trailer as part of registered combination.--Any motor
26 vehicle registered as a combination in this Commonwealth may tow
27 a trailer registered in another state provided:

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

30 (2) the towing vehicle is being operated under a

permanent lease to a person meeting the requirements of paragraph (1).

§ 1304. Registration criteria.

(a) General rule.--Except as otherwise provided in this section, vehicles shall be registered for a flat fee.

(b) Classification of vehicles.--The department may identify vehicles by type as to weight, design, loading, use, ownership or other significant characteristics for purposes of registration.

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

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

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

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

(3) a combination weight greater than the gross combination weight rating.

In the case of a vehicle in which no gross vehicle weight rating or gross combination weight rating is assigned by the manufacturer or where the vehicle has been altered subsequent to manufacture to change its weight bearing capacity, an equivalent rating shall be determined by the department on the basis of the vehicle's horsepower, braking ability, axle limitations and such

1 other factors related to safe operation as may be established by
2 regulations of the department.

3 (e) Minimum registered gross weight.--No truck, truck-
4 tractor or trailer shall be registered at less than the total of
5 the weight of the unladen vehicle, the maximum weight of the
6 proposed load, the equivalent weight of the fuel capacity, 150
7 pounds times the seating capacity, and the weight of any
8 permanently or temporarily attached appurtenances.

9 (f) Registered gross weight of trucks and truck-tractors.--
10 Every truck shall have its own registered gross weight and may
11 also be registered at a registered gross weight for a
12 combination. Every truck-tractor shall be registered at a
13 registered gross weight for a combination.

14 (g) Buses other than school buses.--The department shall
15 register buses, other than school buses, on the basis of
16 passenger seating capacity.

17 § 1305. Application for registration.

18 (a) Application for registration.--Application for the
19 registration of a vehicle shall be made to the department upon
20 the appropriate form or forms furnished by the department. The
21 application shall contain the full name and address of the owner
22 or owners; the make, model, year and vehicle identification
23 number of the vehicle; and such other information as the
24 department may require. Applicants for registration of a truck,
25 truck-tractor, trailer or bus shall provide the vehicle's Gross
26 Vehicle Weight Rating (GVWR), or the Gross Combination Weight
27 Rating (GCWR), as applicable. If the manufacturer's ratings are
28 not available, the applicant shall provide sufficient
29 information as to the horsepower, braking capacity and such
30 other data as necessary for the department to determine an

1 equivalent measure of the vehicle's hauling and stopping
2 capability. If the applicant wishes to register a vehicle at a
3 registered gross weight less than the gross vehicle weight
4 rating, the application shall include information as to weight,
5 load and any other such information as the department may
6 require. The application shall be accompanied by proof of
7 insurance and the applicable fee.

8 (b) Evidence of P.U.C. approval for buses and taxis.--Before
9 registering any bus or taxi which is required under the laws of
10 this Commonwealth to obtain a certificate of public convenience
11 from the Pennsylvania Public Utility Commission, the department
12 shall require evidence that the certificate has been issued and
13 has not been revoked or has not expired.

14 (c) Designation of lessee as registrant.--The owner as
15 lessor may designate the lessee as the registrant of the vehicle
16 and the name and address of the lessee may be substituted on the
17 registration card for the address of the lessor. The department
18 shall designate the relationship upon the card in a manner it
19 deems appropriate. This subsection is applicable only for the
20 period during which the lease remains in effect.

21 § 1306. Grounds for refusing registration.

22 The department shall refuse registration and transfer of
23 registration when any of the following circumstances exists:

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

26 (2) The applicant has at registration or titling
27 neglected or refused to furnish the department with the
28 information required on the appropriate official form, or any
29 reasonable additional information required by the department.

30 (3) The department has reasonable grounds to believe

1 that the application contains false or fraudulent
2 information, or that the vehicle is stolen, which fact the
3 department shall ascertain by reference to the stolen vehicle
4 file required to be maintained under section 7114 (relating
5 to records of stolen vehicles), or that the granting of
6 registration would constitute a fraud against the rightful
7 owner or other person having a valid lien upon the vehicle.

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

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

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

13 § 1307. Period of registration.

14 (a) Staggered renewal system to be established.--The
15 department shall establish a system of staggered registration
16 renewal in a manner that some registrations will expire every
17 month throughout the year. In order to implement and maintain
18 the staggered registration system, the department may prorate
19 annual registration fees over registration periods of from 6 to
20 18 months.

21 (b) New registration.--A new registration is effective on
22 the date of issuance of a registration card by the department or
23 the date of issuance of a temporary registration card by an
24 authorized agent of the department under section 1310 (relating
25 to temporary registration cards).

26 (c) Renewal of registration.--A renewed registration shall
27 be effective on issuance by the department of a renewed
28 registration card except that the department, by regulation, may
29 establish a renewal system coordinated with the periodic
30 inspection of vehicles as provided in section 4702 (relating to

1 requirement for periodic inspection of vehicles).

2 (d) Expiration of registration.--A registration shall expire
3 on the last day of the month designated on the registration
4 card.

5 (e) Antique and classic vehicles.--Antique and classic motor
6 vehicle registrations shall expire upon the junking, scrapping
7 or transfer of ownership of the vehicle, except that if the
8 transfer is between spouses or between parent and child the
9 registration may be transferred upon payment of a transfer fee.

10 § 1308. Issuance of registration card.

11 (a) General rule.--The department, upon registering a
12 vehicle, shall issue to the registrant a registration card which
13 shall contain the registration number assigned to the vehicle,
14 the name and address of the registrant and the name of the
15 owner, if other than the registrant, a description of the
16 vehicle including the vehicle identification number, the
17 expiration date and such other information as may be determined
18 by the department.

19 (b) Trucks.--The registration card for a truck shall
20 indicate the registered gross weight of the truck, and the
21 registered gross weight of the combination, if the truck is so
22 registered, in addition to other information required.

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

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

29 (e) Buses.--The registration card for a bus shall indicate
30 the passenger seating capacity of the bus.

1 § 1309. Renewal of registration.

2 Prior to the expiration of each registration, the department
3 shall send to the registrant an application for renewal of
4 registration. Upon return of the application, accompanied by
5 proof of insurance and the applicable fee, the department shall
6 send to the registrant a renewed registration card. Failure to
7 receive a renewal application shall not relieve a registrant
8 from the responsibility to renew the registration.

9 § 1310. Temporary registration cards.

10 (a) General rule.--The department shall provide temporary
11 registration cards for use pending issuance or transfer of
12 permanent registration cards. Temporary registration cards may
13 be delivered to designated agents who shall have the authority
14 to issue them in accordance with regulations promulgated by the
15 department.

16 (b) Duration.--Temporary registration cards shall be valid
17 for such period as the department shall designate.

18 (c) Charges by designated agent.--A designated agent may not
19 charge any fee for issuing a temporary registration card other
20 than notary fees.

21 § 1311. Registration card to be signed and exhibited on demand.

22 (a) Signing card.--Upon receiving the registration card or
23 any duplicate, the registrant shall sign his name in the space
24 provided.

25 (b) Carrying and exhibiting card.--Every registration card
26 shall, at all times while the vehicle is being operated upon a
27 highway, be in the possession of the person driving or in
28 control of the vehicle or carried in the vehicle and shall be
29 exhibited upon demand of any police officer.

30 (c) Production to avoid penalty.--No person shall be

1 convicted of violating this section or section 1302 (relating to
2 vehicles subject to registration) if the person produces at the
3 office of the issuing authority or at the office of the
4 arresting police officer within five days of the violation, a
5 registration card valid in this Commonwealth at the time of the
6 arrest.

7 § 1312. Notice of change of name or address.

8 Any person whose address is changed from the address named in
9 the application for registration or on the registration card or
10 whose name is changed shall, within 15 days, notify the
11 department in writing of the old and new address, or of such
12 former and new names, and of the operator's number on any
13 registration card then held by the person.

14 § 1313. Duplicate registration cards.

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

20 (b) Replacement of lost or illegible card.--In the event of
21 a lost, stolen, destroyed or illegible registration card, the
22 registrant shall apply to the department for a duplicate within
23 48 hours of discovery of the loss or defacement of such
24 registration card, upon a form furnished by the department, and
25 accompanied by the fee provided in this title.

26 (c) Affidavit to avoid penalty.--No owner or operator of a
27 vehicle shall be subject to a fine for failure to have the
28 registration card if the owner or operator makes affidavit that
29 the card was lost or stolen within the period of 20 days
30 preceding and that application for new registration card was

1 made within 48 hours as required in this section.

2 § 1314. Transfer of Registration.

3 (a) General rule.--Registration and registration plates may
4 be transferred to another vehicle owned or leased by the
5 registrant, or to a vehicle owned or leased by the spouse,
6 parent or child of the registrant.

7 (b) Procedure for transfer.--In order to transfer
8 registration and registration plates, the transferee shall apply
9 for a temporary registration card in accordance with section
10 1310 (relating to temporary registration cards) and
11 simultaneously apply for transfer of registration under this
12 section.

13 (c) Same vehicle type.--If the transfer is within the same
14 vehicle type, the transferee shall retain the registration plate
15 previously issued, unless lost or destroyed. A new registration
16 card shall be issued by the department.

17 (d) Different vehicle type.--If the transfer is to another
18 vehicle type, a new registration plate and card shall be issued
19 to the transferee. The previously issued plate shall be returned
20 to the department for cancellation immediately upon receipt of
21 the new registration plate, unless lost or destroyed. In
22 addition to the transfer fee, the transferee shall pay the
23 difference in registration fees when transferring registration
24 to a type or class of vehicle requiring a higher fee. No refund
25 shall be payable on transferring to a type or class of vehicle
26 requiring a lower fee.

27 § 1315. Operation of vehicle following death of owner.

28 When the owner of a vehicle is deceased, the vehicle may be
29 operated by or for any heir or personal representative of the
30 decedent for the remainder of the current registration period

1 and throughout the next following registration period, provided
2 that the registration is renewed in the name of the decedent's
3 estate as otherwise required by this chapter. Registration may
4 continue to be renewed thereafter in the name of the decedent's
5 estate by any person entitled to the family exemption until the
6 final account is approved by the court.

7 § 1316. Department records.

8 The department shall maintain suitable records in a manner
9 permitting identification of vehicles and owners, including:

10 (1) All registrations and transfers of registrations
11 issued.

12 (2) All registrations and transfers of registrations
13 denied and reasons for denial. Registrations and transfers
14 returned for correction of errors or omissions need not be
15 recorded.

16 SUBCHAPTER B

17 REGISTRATION PLATES

18 Sec.

19 1331. Issuance of registration plates.

20 1332. Display of registration plate.

21 1333. Lost, stolen, damaged or illegible registration plate.

22 1334. Return of registration plate.

23 1335. Registration plates for manufacturers and dealers.

24 1336. Use of dealer registration plates.

25 1337. Use of "Miscellaneous Motor Vehicle Business"
26 registration plates.

27 1338. Handicapped plate.

28 1339. Legislative plate.

29 1340. Antique and classic plates.

30 1341. Personal plate.

1 1342. Plate for totally disabled veteran.

2 1343. Use of school bus plates.

3 1344. Use of farm truck plates.

4 § 1331. Issuance of registration plates.

5 (a) Department to provide plates.--Registration plates shall
6 be provided by the department.

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

12 (c) Temporary registration plates.--The department shall
13 provide temporary registration plates for use on vehicles which
14 are to be removed from this Commonwealth or for use as necessary
15 pending issuance of permanent registration plates.

16 (d) Reflectorizing material on plate.--All registration
17 plates, except temporary plates, shall be treated with
18 reflectorizing material in accordance with standards approved by
19 the department.

20 (e) Issuance of plates by agents.--The department may
21 deliver registration plates, other than special plates, to
22 designated agents, who shall have the authority to issue them in
23 conjunction with the issuance of 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) Application for new plate.--The registrant of the
6 vehicle shall within 48 hours of discovering the loss, theft or
7 defacement apply to the department for a new plate and report
8 the loss or theft of a plate to the police.

9 (b) Substitute registration.--Where the registration plate
10 has been lost or stolen and in any other case in which the
11 department may deem it advisable, the original registration
12 shall be cancelled and substitute registration issued under a
13 new registration number other than that originally issued. Upon
14 receipt of substitute registration, it shall be the duty of the
15 registrant to return the old registration plates and card to the
16 department, unless lost or destroyed.

17 (c) Affidavit to avoid penalty.--No owner or operator of a
18 vehicle shall be subject to a fine for the reason that the
19 registration plate is missing if they have in their possession
20 an affidavit that the plate was lost or stolen and that
21 application for new plate or plates was made within 48 hours as
22 required in this section.

23 § 1334. Return of registration plate.

24 (a) General rule.--Registration plates shall be returned to
25 the department under the following circumstances:

26 (1) A registration plate shall be returned if the
27 registrant no longer has a vehicle titled in this
28 Commonwealth.

29 (2) A legislative registration plate shall be returned
30 on the expiration or termination of the term of office of the

1 legislative member.

2 (3) A dealer or "Miscellaneous Motor Vehicle Business"
3 registration plate shall be returned if the business is
4 discontinued.

5 (4) A handicapped registration plate shall be returned
6 if the person to whom it was issued no longer qualifies under
7 section 1338 (relating to handicapped plate).

8 (b) Time for return of plate.--Each registration plate
9 required to be returned under this section shall be returned to
10 the department within five days of the occurrence requiring its
11 return.

12 (c) Statement accompanying returned plate.--Each returned
13 registration plate shall be accompanied by a statement of the
14 reason for the return of the plate and the date of the
15 occurrence requiring its return.

16 § 1335. Registration plates for manufacturers and dealers.

17 (a) General rule.--The department shall issue to dealers and
18 manufacturers licensed by the State Board of Motor Vehicle
19 Manufacturers, Dealers and Salesmen of the Department of State
20 special registration plates which may be displayed on vehicles
21 operating on highways in lieu of registering each vehicle
22 individually in accordance with the requirements of section
23 1302(a) (relating to vehicles subject to registration).

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

29 (c) Exemption from individual registration.--Vehicles
30 displaying dealer registration plates may be operated on the

1 highway without registering each vehicle individually, provided
2 that the plates are used in accordance with the limitations of
3 section 1336 (relating to use of dealer registration plates).

4 § 1336. Use of dealer registration plates.

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

9 (1) In the business of the registrant as a dealer or
10 manufacturer.

11 (2) For the personal pleasure or use of the dealer or
12 members of his immediate family, or when the dealer is a
13 corporation, for the personal pleasure or use of the officers
14 or members of their immediate families, or for the personal
15 use of the regular employees of the dealer.

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

19 (4) For testing vehicles in the possession of the dealer
20 or manufacturer.

21 (5) For demonstrating vehicles in the possession of the
22 dealer or manufacturer.

23 (6) For loaning to customers whose vehicles are being
24 repaired.

25 (7) For loaning to prospective purchasers for a period
26 not exceeding five days for the purpose of demonstrating
27 vehicles.

28 (b) Records.--Records shall be kept by the dealer in a
29 manner prescribed by the department indicating which vehicles
30 have been used as provided in subsection (a)(3)(6) and (7). The

1 records shall be open to inspection by representatives of the
2 department and police officers.

3 § 1337. Use of "Miscellaneous Motor Vehicle Business"
4 registration plates.

5 (a) General rule.--The department shall issue to owners of
6 miscellaneous motor vehicle businesses special registration
7 plates which may be displayed on vehicles operated on highways
8 in lieu of registering each vehicle individually in accordance
9 with the requirements of section 1302(a) (relating to vehicles
10 subject to registration). Registration plates issued under this
11 section may be used only when the vehicle is used for any of the
12 following purposes:

13 (1) In the conduct of the miscellaneous motor vehicle
14 business.

15 (2) For the personal pleasure or use of the owner of the
16 miscellaneous motor vehicle business or members of their
17 immediate family, or when the business is a corporation, for
18 the pleasure or use of not more than three officers or
19 members of their immediate families, or for the personal use
20 of the regular employees of the business when operated by the
21 employee.

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

30 (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 a special registration plate for one passenger car or other vehicle with a registered gross weight of not more than 9,000 pounds, designating the vehicle so licensed as being used by a handicapped person. Special plates for

1 handicapped persons may also be issued for vehicles operated
2 exclusively for the use and benefit of handicapped persons.
3 § 1339. Legislative plate.

4 Upon application by a member of the General Assembly of the
5 Commonwealth or the Congress of the United States, the
6 department shall issue special registration plates indicating
7 that the vehicle is owned by a member of the Pennsylvania or
8 United States Senate or House of Representatives, as
9 appropriate.

10 § 1340. Antique and classic plates.

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

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

22 § 1341. Personal plate.

23 Upon request by the applicant, the department may issue
24 registration plates consisting of any combination of numbers,
25 letters or numbers and letters. These special plates may be
26 issued for special groups or for special purposes and bear an
27 appropriate designation. They shall have the same force and
28 effect as regular registration plates. The department may refuse
29 any combination of letters and numbers for cause and shall adopt
30 reasonable rules and regulations for the issuance of the plates

1 and for carrying out the provisions of this section. The
2 applicant shall comply with all laws and regulations pertaining
3 to registration including the payment of any additional fees.

4 § 1342. Plate for totally disabled veteran.

5 On the application of a totally disabled veteran, whose
6 disability is certified by the United States Veterans'
7 Administration as service-connected, the department shall issue
8 a special registration plate designating the vehicle as
9 belonging to a totally disabled veteran. The registration plate
10 shall have a white background, shall have blue numbers or
11 letters as the department may determine, and shall have the
12 words, "disabled veteran," in at least ten-point bold type,
13 inscribed in red at the bottom of the plate. The special
14 registration plate may be used only on one passenger vehicle or
15 one other vehicle with a registered gross weight of not more
16 than 9,000 pounds.

17 § 1343. Use of school bus plates.

18 (a) General rule.--A motor vehicle bearing school bus
19 registration plates shall be used exclusively for the
20 transportation of children and no more than five chaperons to or
21 from public, private, parochial or Sunday school or in
22 connection with any public, private, parochial or Sunday school-
23 related activity. Except when transporting children to and from
24 public, private, parochial or Sunday school or public, private,
25 parochial or Sunday school-related activities, the words "school
26 bus" on the front and rear of the vehicle shall be concealed and
27 the red and amber visual signals shall not be operable.

28 (b) Penalty.--Any person violating this section is guilty of
29 a summary offense and shall, upon conviction, be sentenced to
30 pay a fine of \$25.

1 § 1344. Use of farm truck plates.

2 (a) General rule.--A truck bearing farm truck registration
3 plates shall be used exclusively upon a farm or farms owned or
4 operated by the registrant of the vehicle or upon highways
5 between:

6 (1) Parts of one farm.

7 (2) Farms located not more than 25 miles apart.

8 (3) A farm and a place of business located within a
9 radius of 50 miles from the farm or farms for the purpose of
10 buying or selling agricultural commodities or supplies or for
11 the inspection, repair or servicing of the vehicle.

12 (b) Penalty.--Any person violating this section is guilty of
13 a summary offense and shall, upon conviction, be sentenced to
14 pay a fine of \$25.

15 SUBCHAPTER C

16 VIOLATIONS AND SUSPENSIONS

17 Sec.

18 1371. Operation following suspension of registration.

19 1372. Unauthorized transfer or use of registration.

20 1373. Suspension of registration.

21 1374. Suspension of vehicle business registration plates.

22 1375. Suspension of registration of unapproved carriers.

23 1376. Surrender of registration plates and cards upon
24 suspension.

25 1377. Judicial review of denial or suspension of registration.

26 § 1371. Operation following suspension of registration.

27 (a) General rule.--No person shall operate and no owner
28 shall permit to be operated upon any highway a vehicle the
29 registration of which has been suspended.

30 (b) Penalty.--Any person violating this section is guilty of

1 a summary offense and shall, upon conviction, be sentenced to
2 pay a fine of not less than \$100 nor more than \$500.

3 § 1372. Unauthorized transfer or use of registration.

4 No person shall:

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

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

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

13 § 1373. Suspension of registration.

14 The department may suspend any registration after providing
15 opportunity for a hearing in any of the following cases when the
16 department finds upon sufficient evidence that:

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

19 (2) The owner or registrant has made, or permitted to be
20 made, any unlawful use of the vehicle or registration plate
21 or plates, or registration card, or permitted the use by a
22 person not entitled thereto.

23 (3) The owner or registrant has knowingly made a false
24 statement or knowingly concealed a material fact or otherwise
25 committed a fraud in any application or form required to be
26 filed by this title.

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

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

29 (6) The registrant or any agent or employee has
30 repeatedly violated any of the provisions of this chapter or

Chapter 11 (relating to certificate of title and security interests).

§ 1374. Suspension of vehicle business registration plates.

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

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

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

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

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

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

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

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

1 (b) Recommended action by State licensing board.--The
2 department may also audit and investigate dealers and
3 manufacturers registered by the State Board of Motor Vehicle
4 Manufacturers, Dealers and Salesmen to determine whether any
5 dealer or manufacturer has violated any provision of this title
6 pertaining to dealers or manufacturers or any regulation
7 promulgated by the department. The department may recommend that
8 the State Board of Motor Vehicle Manufacturers, Dealers and
9 Salesmen suspend the license of any dealer or manufacturer which
10 it finds has committed a violation and the board shall take
11 prompt action on any such recommendations under the act of
12 September 9, 1965 (P.L.499, No.254), known as the "Motor Vehicle
13 Manufacturer's Dealers and Salesmen's License Act."

14 § 1375. Suspension of registration of unapproved carriers.

15 (a) General rule.--The department shall suspend the
16 registration of any vehicle upon the presentation to the
17 department of a certificate of the Pennsylvania Public Utility
18 Commission setting forth, after hearing and investigation, that
19 the commission has found and determined that the vehicle has
20 been operated as a common carrier or contract carrier by motor
21 vehicle within this Commonwealth without the approval of the
22 commission and either that no appeal was filed from such
23 determination in the manner and within the time provided by law
24 or that the determination was affirmed on appeal.

25 (b) Rescission of suspension.--Any suspension of
26 registration under this section may be rescinded by the
27 department upon the petition of the owner of such vehicle or of
28 the lessee provided the petition is accompanied by a certificate
29 of the Pennsylvania Public Utility Commission setting forth that
30 the commission does not object to the rescission.

1 § 1376. Surrender of registration plates and cards upon
2 suspension.

3 (a) General rule.--The department, upon suspending any
4 registration, shall require the registration plate or plates and
5 registration card to be surrendered immediately to the
6 department and may delegate authority to any authorized
7 department employee or police officer to seize the registration
8 plate or plates and registration card or cards.

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

13 § 1377. Judicial review of denial or suspension of
14 registration.

15 Any person whose registration has been denied suspended by
16 the department shall have the right to appeal by filing a
17 petition within 30 days from the date notice is mailed for a
18 hearing in the court of common pleas in the county in which the
19 individual resides. The filing of the petition shall act as a
20 supersedeas and the suspension of registration shall not be
21 imposed until determination of the matter as provided in this
22 section. The court is hereby vested with jurisdiction, and it
23 shall be the duty of the court to set the matter down forthwith
24 for hearing upon 30 days written notice to the department, and
25 thereupon to take testimony and examine into the facts of the
26 case and to determine whether the petitioner is entitled to
27 registration or subject to suspension of registration under the
28 provisions of this title.

29 CHAPTER 15

30 LICENSING OF DRIVERS

1 Subchapter

2 A. General Provisions

3 B. Comprehensive System For Driver Education and Control

4 C. Violations

5 SUBCHAPTER A

6 GENERAL PROVISIONS

7 Sec.

8 1501. Drivers required to be licensed.

9 1502. Persons exempt from licensing.

10 1503. Persons ineligible for licensing.

11 1504. Classes of licenses.

12 1505. Learners' permits.

13 1506. Application for driver's license or learner's permit.

14 1507. Application for driver's license or learner's permit by
15 minor.

16 1508. Examination of applicant for driver's license.

17 1509. Qualifications for Class 4 license.

18 1510. Issuance and content of driver's license.

19 1511. Carrying and exhibiting driver's license on demand.

20 1512. Restrictions on drivers' licenses.

21 1513. Duplicate and substitute drivers' licenses and learners'
22 permits.

23 1514. Expiration and renewal of drivers' licenses.

24 1515. Notice of change of name or address.

25 1516. Department records.

26 1517. Medical advisory board.

27 1518. Reports on mental or physical disabilities or disorders.

28 1519. Determination of incompetency.

29 § 1501. Drivers required to be licensed.

30 (a) General rule.--No person, except those expressly

1 exempted, shall drive any motor vehicle upon a highway in this
2 Commonwealth unless the person has a driver's license valid
3 under the provisions of this chapter.

4 (b) Persons in towed vehicles.--No person, except those
5 expressly exempted, shall steer or, while within the passenger
6 compartment of the vehicle, exercise any degree of physical
7 control of a vehicle being towed by a motor vehicle upon a
8 highway in this Commonwealth unless the person has a valid
9 driver's license under the provisions of this chapter for the
10 type or class of vehicle being towed.

11 (c) Limitation on number of licenses.--No person shall
12 receive a driver's license unless and until the person
13 surrenders to the department all valid licenses in the person's
14 possession issued by this or any other state. All surrendered
15 licenses issued by another state shall be returned to that
16 state, together with information that the person is licensed in
17 this Commonwealth. No person shall be permitted to have more
18 than one valid driver's license at any time.

19 (d) Penalty.--Any person violating subsection (a) is guilty
20 of a summary offense and shall, upon conviction, be sentenced to
21 pay a fine of \$200, except that, if the person charged furnishes
22 satisfactory proof of having held a valid driver's license
23 issued during the preceding driver's license period and no more
24 than 30 days have elapsed from the last date for renewal, the
25 fine shall be \$25. No person charged with violating subsections
26 (a) or (b) shall be convicted if the person produces at the
27 office of the issuing authority or the arresting police officer
28 within five days a driver's license valid in this Commonwealth
29 at the time of the arrest.

30 § 1502. Persons exempt from licensing.

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

3 (1) Any employee of the Federal Government while
4 operating a motor vehicle owned by or leased to the Federal
5 Government and being operated on official business unless the
6 employee is required by the Federal Government or any agency
7 thereof to have a state driver's license.

8 (2) Any person in the service of the armed forces of the
9 United States, including the reserve components, when
10 furnished with a valid military driver's license and
11 operating an official vehicle on official business.

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

22 (4) Any person on active duty in the armed forces of the
23 United States who has in their immediate possession a valid
24 driver's license issued in a foreign country by the armed
25 forces of the United States may operate a motor vehicle in
26 this Commonwealth for a period of not more than 45 days from
27 the date of the person's return to the United States.

28 (5) Any person 14 years of age or older operating an
29 implement of husbandry. Persons 14 or 15 years of age are
30 restricted to the operation of implements of husbandry on one

1 and two lane highways which bisect or immediately adjoin the
2 premises upon which such person resides.

3 § 1503. Persons ineligible for licensing.

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

7 (1) Whose operating privilege is suspended or revoked in
8 this or any other state except as otherwise provided in this
9 title.

10 (2) Whose operating privilege is suspended or revoked in
11 any other state upon grounds which would authorize the
12 suspension or revocation of the operating privilege under
13 this title.

14 (3) Who is a user of alcohol or any controlled substance
15 to a degree rendering the user incapable of safely driving a
16 motor vehicle. This paragraph does not apply to any person
17 who is enrolled or otherwise participating in a methadone or
18 other controlled substance treatment program approved by the
19 Governor's Council on Drug and Alcohol Abuse provided that
20 the person is certified to be competent to drive by a
21 physician designated by the Governor's Council on Drug and
22 Alcohol Abuse.

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

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

30 (6) Who is required by the department to take an

1 examination until the person has successfully passed the
2 examination.

3 (7) who is under 18 years of age except in accordance
4 with subsections (b) and (c).

5 (8) Who has repeatedly violated any of the provisions of
6 this chapter. The department shall provide an opportunity for
7 a hearing upon invoking this paragraph.

8 (b) Minors completing training course.--The department shall
9 issue a driver's license to a person 17 years of age who:

10 (1) has successfully completed a driver's training
11 course approved by the department; and

12 (2) has not been involved in an accident for which they
13 are partially or fully responsible in the opinion of the
14 department or is convicted of any violation of this title.

15 (c) Junior driver's license.--The department may issue a
16 junior driver's license to a person 16 or 17 years of age under
17 rules and regulations adopted by the department and subject to
18 the provisions of this section. A junior driver's license shall
19 automatically become a regular driver's license when the
20 licensee attains 18 years of age.

21 (1) Except as provided in paragraph (2), no licensed
22 junior driver shall drive a vehicle upon a public highway
23 between 12 midnight and 5 a.m. unless accompanied by a spouse
24 18 years of age or older, a parent or a person in loco
25 parentis.

26 (2) A licensed junior driver conforming to the
27 requirements of § 1507 (relating to application for driver's
28 license or learner's permit) may drive a vehicle upon a
29 public highway between 12 midnight and 5 a.m. between their
30 home and their activity or employment or in the course of

1 their activity or employment if they are a member of a
2 volunteer fire company authorized by the fire chief to engage
3 in fighting fires, engaged in public or charitable service or
4 employed and they are carrying an affidavit signed by their
5 fire chief, supervisor or employer indicating the probable
6 schedule of their activities. Upon termination of the junior
7 driver's activity or employment, the junior licensee shall
8 surrender the affidavit to the fire chief, supervisor or
9 employer. If the junior licensee shall fail to surrender the
10 affidavit, the employer, fire chief or supervisor shall
11 immediately notify the Pennsylvania State Police.

12 (3) In addition to the other provisions of this title
13 relating to the suspension or revocation of operating
14 privileges, in the event that a licensed junior driver is
15 involved in an accident for which they are partially or fully
16 responsible in the opinion of the department or is convicted
17 of any violation of this title, the department may suspend
18 the operating privileges of such person until the person
19 attains 18 years of age or for a period of time not exceeding
20 90 days.

21 (4) Any junior licensee or other person violating any
22 provision of this subsection is guilty of a summary offense.

23 § 1504. Classes of licenses.

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

28 (b) Notation of class on license.--The department upon
29 issuing a driver's license shall indicate on the license the
30 type or general class or classes of vehicle or vehicles the

1 licensee may operate in accordance with the provisions of
2 subsection (c).

3 (c) Qualifications of applicants.--The department shall
4 establish by regulation the qualifications necessary for the
5 safe operation of the various types, sizes or combinations of
6 vehicles and the manner of examining applicants to determine
7 their qualifications for the type or general class of license
8 applied for.

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

11 (1) Class 1.--A Class 1 license shall be issued to those
12 persons who have demonstrated their qualifications to operate
13 a single vehicle not in excess of 30,000 pounds registered
14 gross weight or any such vehicle towing a trailer not in
15 excess of 10,000 pounds gross weight. The holder of a Class 1
16 license shall not be deemed qualified to operate buses,
17 school buses or motorcycles unless the license is endorsed as
18 provided in this section.

19 (2) Class 2.--A Class 2 license shall be issued to those
20 persons over 18 years of age who have demonstrated their
21 qualifications to operate a single vehicle of over 30,000
22 pounds registered gross weight or any bus or any such vehicle
23 towing a trailer not in excess of 10,000 pounds gross weight.
24 The holder of a Class 2 license shall be deemed qualified to
25 operate those vehicles for which a Class 1 license is issued,
26 but not school buses or motorcycles unless the license is
27 endorsed as provided in this section.

28 (3) Class 3.--A Class 3 license shall be issued to those
29 persons over 18 years of age who have demonstrated their
30 qualifications to operate a vehicle while in combination with

1 or towing a trailer in excess of 10,000 pounds gross weight.
2 The holder of a Class 3 license shall be deemed qualified to
3 operate those vehicles for which a Class 1 or Class 2 license
4 is issued, but not school buses or motorcycles unless the
5 license is endorsed as provided in this section.

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

11 (5) Class 5.--Those persons who have demonstrated their
12 qualifications to operate a motorcycle, shall have that
13 qualification endorsed on one of the basic classes of license
14 described in this section. If a person is qualified only to
15 operate a motorcycle he shall be issued a license with only
16 that qualification endorsed on the license.

17 (6) Class 6.--Those persons who have demonstrated their
18 qualifications to operate a motor-driven cycle or motorized
19 pedalcycle shall have that qualification endorsed on one of
20 the basic classes of license described in this section. If a
21 person is qualified only to operate a motor-driven cycle or
22 motorized pedalcycle he shall be issued a license with only
23 that qualification endorsed on the license.

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

27 § 1505. Learners' permits.

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

1 the class or classes of license in which the person desires to
2 be licensed. The department shall issue to each applicant a
3 learner's permit which shall clearly identify the class of
4 license applied for as provided in section 1504 (relating to
5 classes of licenses).

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

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

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

16 (c) Operation of motorcycle.--A motorcycle learner's permit
17 entitles the person to whom it is issued to operate a motorcycle
18 only between sunrise and sunset and, except for a driver
19 licensed to drive another class of vehicle, only while under the
20 instruction and immediate supervision of a licensed motorcycle
21 operator. Motorcycle learners shall not carry any passenger
22 other than an instructor properly licensed to operate a
23 motorcycle.

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

29 § 1506. Application for driver's license or learner's permit.

30 (a) Form and content.--Every application for a learner's

1 permit or driver's license shall be made upon a form furnished
2 by the department and shall contain such information as the
3 department may require to determine the applicant's identity,
4 competency and eligibility. The form may also provide for
5 inclusion of personal medical information and other information
6 of use in an emergency.

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

10 § 1507. Application for driver's license or learner's permit by
11 minor.

12 (a) Signature of parent or guardian.--The application of any
13 person under the age of 18 years for a learner's permit or
14 driver's license shall also be signed by the father, mother,
15 guardian or person in loco parentis which signature shall be
16 verified before a person authorized to administer oaths or
17 before an authorized department employee.

18 (b) Signature of spouse of married minor.--The application
19 of any married person under the age of 18 years may be signed by
20 the spouse, if the spouse is at least 18 years of age, and
21 verified before a person authorized to administer oaths.

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

27 (d) Withdrawal of consent.--Any person who has signed the
28 application of a person under the age of 18 years for a driver's
29 license or learner's permit may thereafter file with the
30 department a verified written request that the driver's license

1 or learner's permit of the person be cancelled and the
2 department shall cancel the driver's license or learner's
3 permit.

4 § 1508. Examination of applicant for driver's license.

5 (a) General rule.--Every applicant for a driver's license
6 shall be examined for the type or class of vehicles that the
7 applicant desires to drive. The examination shall include a
8 physical examination, a screening test of the applicant's
9 eyesight and a test of the applicant's ability to read and
10 understand official traffic-control devices, knowledge of safe
11 driving practices and the traffic laws of this Commonwealth, and
12 shall include an actual demonstration of ability to exercise
13 ordinary and reasonable control in the operation of a motor
14 vehicle of the type or class of vehicles for which the applicant
15 desires a license to drive. If the department finds it necessary
16 to further determine an applicant's fitness to operate a motor
17 vehicle safely upon the highways the department may require one
18 or more of the following types of examinations:

19 (1) A vision examination by an optometrist or
20 ophthalmologist.

21 (2) A physical examination.

22 (3) A mental examination.

23 (b) Issuance of license to licensed nonresident.--A driver's
24 license may be issued to a person who has not had a learner's
25 permit but who at the time of application is of sufficient age
26 and has a valid driver's license issued by another state under a
27 law requiring the examination and licensing of drivers,
28 providing that the applicant demonstrates knowledge and
29 understanding of rules of the road and official traffic-control
30 devices and is visually, physically and mentally fit. Also, the

1 department must be satisfied that the applicant's experience in
2 driving vehicles which may be driven by holders of the classes
3 of licenses sought by the applicant is sufficient to justify the
4 issuance of the license without further behind-the-wheel
5 training.

6 § 1509. Qualifications for Class 4 license.

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

9 (1) has successfully completed a course of instruction
10 as provided in subsection (c);

11 (2) has satisfactorily passed an annual physical
12 examination to be given by the physician for the school
13 district by which the person is employed; and

14 (3) is 18 years of age or older.

15 (b) Proof of annual physical and vision examination.--Every
16 school bus driver shall carry a certificate issued by an
17 examining physician indicating that the person has passed the
18 prescribed physical examination, including an examination of the
19 eyes, within the preceeding 12 months. The vision examination
20 may be made by an optometrist or ophthalmologist.

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

30 § 1510. Issuance and content of driver's license.

1 (a) General rule.--The department shall, upon payment of the
2 required fee, issue to every qualified applicant a driver's
3 license indicating the type or general class of vehicles the
4 licensee is authorized to drive, which license shall contain a
5 distinguishing number identifying the licensee, the actual name,
6 date of birth, residence address, a color photograph of the
7 licensee, such other information as may be required by the
8 department, and either a facsimile of the signature of the
9 licensee or a space upon which the licensee shall write his
10 usual signature with pen and ink. Personal medical data and
11 other information for use in an emergency may be included as a
12 part of the license. Information other than that required to
13 identify the licensee, the distinguishing number and the class
14 of license issued may be included in micro-data form. No
15 driver's license shall be valid until it has been signed by the
16 licensee.

17 (b) Identification card.--The department shall, upon payment
18 of the required fee, issue an identification card to any person
19 who has made application therefor in such manner as the
20 department shall prescribe. The identification card shall have
21 substantially the same content as a driver's license but shall
22 clearly indicate that it is not a driver's license. Upon failure
23 of any person to pass any examination required under section
24 1514 (relating to expiration and renewal of drivers' licenses),
25 the department shall, where appropriate, issue a complimentary
26 identification card as an expression of gratitude for years of
27 safe driving. The card shall only be issued upon receipt of the
28 person's driver's license.

29 (c) Anatomical donors.--Any person who is registered as an
30 anatomical organ donor and who has in his possession a card

1 issued by the recipient organization may attach the card to the
2 reverse side of his driver's license or identification card in
3 such a way as to permit the removal of this card should the
4 person no longer desire to be designated as an anatomical donor.
5 Information concerning registered donor status may be included
6 as a part of the person's personal medical data.

7 (d) Medical history record.--Any person may attach to the
8 reverse side of his driver's license or identification card
9 information relating to his personal medical history.

10 § 1511. Carrying and exhibiting driver's license on demand.

11 (a) General rule.--Every licensee shall possess a driver's
12 license issued to the licensee at all times when driving a motor
13 vehicle and shall exhibit the license upon demand by a police
14 officer, and when requested by the police officer the licensee
15 shall write the licensee's name in the presence of the officer
16 in order to provide identity.

17 (b) Production to avoid penalty.--No person shall be
18 convicted of violating this section or section 1501(a) (relating
19 to drivers required to be licensed) if the person produces at
20 the office of the issuing authority or the arresting officer
21 within five days a driver's license valid in this Commonwealth
22 at the time of the arrest.

23 § 1512. Restrictions on drivers' licenses.

24 (a) General rule.--The department upon issuing a driver's
25 license shall have authority whenever good cause appears to
26 impose restrictions suitable to the licensee's driving ability
27 with respect to special mechanical control devices required on a
28 motor vehicle which the licensee may operate or such other
29 restrictions applicable to the licensee as the department may
30 determine to be appropriate to assure the safe operation of a

1 motor vehicle by the licensee.

2 (b) Compliance with restrictions.--No person shall operate a
3 motor vehicle in any manner in violation of the restrictions
4 imposed.

5 § 1513. Duplicate and substitute drivers' licenses and
6 learners' permits.

7 (a) General rule.--If a learner's permit or driver's license
8 issued under the provisions of this chapter is mutilated, lost,
9 stolen, destroyed or becomes illegible, the person to whom it
10 was issued, upon furnishing proof satisfactory to the department
11 that the license or permit has been mutilated, lost, stolen,
12 destroyed, or has become illegible, shall obtain a duplicate or
13 substitute license or permit upon payment of the required fee.

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

18 § 1514. Expiration and renewal of drivers' licenses.

19 (a) General rule.--Every driver's license shall expire in
20 the month of the licensee's birthdate at intervals of not more
21 than four years as may be determined by the department. Every
22 license shall be renewable on or before its expiration upon
23 application, payment of the required fee, and satisfactory
24 completion of any examination required or authorized by this
25 chapter.

26 (b) Examination of applicants for renewal.--The department
27 may require persons applying for renewal of a driver's license
28 to take and successfully pass a physical examination or a vision
29 examination by an optometrist or ophthalmologist, or both
30 examinations, if the department has reason to believe, either

1 based on knowledge of the person or on statistical inference,
2 that the person may be a traffic safety hazard. The department
3 may require the applicant to take and successfully pass such
4 additional tests as the department may find reasonably necessary
5 to determine the applicant's qualification according to the type
6 or general class of license applied for and such examination may
7 include any or all of the other tests required or authorized
8 upon original application by section 1508 (relating to
9 examination of applicant for driver's license). Upon refusal or
10 neglect of the person to submit to the examination, the driver's
11 license shall not be renewed until such time as the examination
12 is successfully completed.

13 (c) Reexamination requested by court.--The department shall
14 reexamine any person when requested to do so by a court. Upon
15 the conclusion of such examination, the department may take any
16 of the actions described in subsection (b) and shall report its
17 findings and action to the court if such report is requested.

18 (d) Military personnel and dependents.--Notwithstanding
19 subsection (a), a driver's license held by any person who enters
20 or is on active service in the armed forces of the United States
21 or the spouse or dependent child of the member of the armed
22 forces who resides with such person shall continue in full force
23 and effect so long as the active service continues and the
24 person is absent from this Commonwealth, and for a further
25 period of 45 days following the date of the person's discharge
26 or separation from active service or return to this
27 Commonwealth, unless the driver's license is sooner suspended,
28 cancelled or revoked for cause according to law. A driver's
29 license which otherwise would have expired under subsection (a)
30 shall be valid only if the licensee has in immediate possession,

1 together with the driver's license, papers indicating actual
2 service outside this Commonwealth, or discharge or separation,
3 as the case may be, or proof thereof if a spouse or child.

4 § 1515. Notice of change of name or address.

5 Whenever any person after applying for or receiving a
6 driver's license moves from the address named in the application
7 or in the driver's license issued or when the name of a licensee
8 is changed such person shall, within 15 days thereafter, notify
9 the department in writing of the old and new addresses or of
10 such former and new names and of the number of any license then
11 held by the person.

12 § 1516. Department records.

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

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

17 (2) All applications granted.

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

21 (b) Accidents and convictions.--The department shall file
22 all accident reports and abstracts of court records of
23 convictions received by it under the laws of this Commonwealth
24 and maintain actual or facsimile records or make suitable
25 notations in order that the records of each licensee showing
26 convictions of the licensee, any departmental action initiated
27 against the licensee regarding a reportable accident in which
28 the licensee was involved, and the traffic accidents shall be
29 available for official use. These records shall also be made
30 available to the courts for sentencing purposes.

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

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

9 § 1517. Medical advisory board.

10 (a) Membership.--There shall be a medical advisory board
11 consisting of 13 members appointed by the secretary. The board
12 shall be composed of an authorized representative from the
13 Department of Transportation, Department of Justice, Governor's
14 Council on Drug and Alcohol Abuse, Department of Health,
15 Pennsylvania State Police and professionals as follows: One
16 neurologist, one doctor of cardiovascular disease, one doctor of
17 internal medicine, one general practitioner, one
18 ophthalmologist, one psychiatrist, one orthopedic surgeon and
19 one optometrist.

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

24 § 1518. Reports on mental or physical disabilities or
25 disorders.

26 (a) Definition of disorders and disabilities.--The medical
27 advisory board shall define disorders characterized by lapses of
28 consciousness or other mental or physical disabilities affecting
29 the ability of a person to drive safely for the purpose of the
30 reports required by this section.

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

7 (c) Responsibility of institution heads.--The person in
8 charge of every mental hospital, institution or clinic, or any
9 alcohol or drug treatment facility, shall be responsible to
10 assure that reports are filed in accordance with subsection (b).

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

15 (e) Use of report as evidence.--No report forwarded under
16 the provisions of this section shall be used as evidence in any
17 civil or criminal trial except in any proceeding under section
18 1519(c) (relating to determination of incompetency).

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

22 § 1519. Determination of incompetency.

23 (a) General rule.--The department, having cause to believe
24 that a licensed driver or applicant may not be physically or
25 mentally qualified to be licensed, may obtain the advice of a
26 physician who shall cause an examination to be made or who shall
27 designate any other qualified physician. The licensed driver or
28 applicant may cause a written report to be forwarded to the
29 department by a physician of the driver's or applicant's choice.
30 Vision qualifications shall be determined by an optometrist or

1 ophthalmologist. The department shall appoint one or more
2 qualified persons who shall consider all medical reports and
3 testimony and determine the competency of the driver or the
4 applicant to drive.

5 (b) Confidentiality of reports and evidence.--Reports
6 received by the department for the purpose of assisting the
7 department in determining whether a person is qualified to be
8 licensed are for the confidential use of the department and may
9 not be divulged to any person or used as evidence in any trial
10 except that the reports may be admitted in proceedings under
11 subsection (c) and any physician or optometrist conducting an
12 examination pursuant to subsection (a) may be compelled to
13 testify concerning observations and findings in such
14 proceedings. The party calling the physician or optometrist as
15 an expert witness shall be obliged to pay the reasonable fee for
16 such testimony.

17 (c) Recall of operating privilege.--The department shall
18 recall the operating privilege of any person whose incompetency
19 has been established under the provisions of this chapter. The
20 recall shall be for an indefinite period until satisfactory
21 evidence is presented to the department in accordance with
22 regulations to establish that such person is competent to drive
23 a motor vehicle. Any person aggrieved by recall of the operating
24 privilege may appeal to the court of common pleas in the manner
25 provided in section 1550 (relating to judicial review).

26 SUBCHAPTER B

27 COMPREHENSIVE SYSTEM FOR DRIVER EDUCATION

28 AND CONTROL

29 Sec.

30 1531. Administration of system by department.

1 1532. Revocation or suspension of operating privilege.
2 1533. Suspension of operating privilege for failure to respond
3 to citation.
4 1534. Notice of acceptance of Accelerative Rehabilitative
5 Disposition.
6 1535. Schedule of convictions and points.
7 1536. Notice of assignment of points.
8 1537. Removal of points.
9 1538. School, examination or hearing on
10 accumulation of points or excessive speeding.
11 1539. Suspension of operating privilege on accumulation of
12 points.
13 1540. Surrender of license.
14 1541. Period of revocation or suspension of operating
15 privilege.
16 1542. Revocation of habitual offender's license.
17 1543. Driving while operating privilege is suspended or
18 revoked.
19 1544. Additional period of revocation or suspension.
20 1545. Restoration of operating privilege.
21 1546. Suspension or revocation of nonresident's operating
22 privilege.
23 1547. Chemical test to determine amount of alcohol.
24 1548. Post conviction examination for driving under influence.
25 1549. Establishment of schools.
26 1550. Judicial review.
27 1551. Notice of suspension of licenses or permits.
28 § 1531. Administration of system by department.

29 The department shall administer an integrated system limited
30 to the authority granted to the department in this title for

1 revocation and suspension of operating privileges and for driver
2 education, testing and control and for this purpose shall
3 maintain a record as to every driver of convictions of offenses
4 set forth in this title and such other convictions and offenses
5 as are punishable by suspension or revocation under this title.

6 § 1532. Revocation or suspension of operating privilege.

7 (a) Revocation.--The department shall revoke the operating
8 privilege of any driver for one year upon receiving a certified
9 record of the driver's conviction of any of the following
10 offenses:

11 (1) Any felony in the commission of which a court
12 determines that a vehicle was essentially involved.

13 (2) Any subsequent violation of section 3731 (relating
14 to driving under influence of alcohol or controlled
15 substance) within three years of a prior violation.

16 (3) Any violation of the following provisions:

17 Section 3732 (relating to homicide by vehicle).

18 Section 3742 (relating to accidents involving death
19 or personal injury).

20 Section 7102(b) (relating to removal or falsification
21 of identification number).

22 Section 7103(b) (relating to dealing in vehicles with
23 removed or falsified numbers).

24 Section 7111 (relating to dealing in titles and
25 plates for stolen vehicles).

26 Section 7121 (relating to false application for
27 certificate of title or registration).

28 Section 7122 (relating to altered, forged or
29 counterfeit documents and plates).

30 (b) Suspension.--

1 (1) The department shall suspend the operating privilege
2 of any driver for six months upon receiving a certified
3 record of the driver's conviction of any offense under the
4 following provisions:

5 Section 3367 (relating to racing on highways).

6 Section 3731 (relating to driving under influence of
7 alcohol or controlled substance).

8 Section 3733 (relating to fleeing or attempting to
9 elude police officer).

10 Section 3734 (relating to driving without lights to
11 avoid identification or arrest).

12 Section 3743 (relating to accidents involving damage
13 to attended vehicle or property).

14 (2) The department shall suspend the operating privilege
15 of any driver for six months upon receiving a certified
16 record of the driver's conviction of a subsequent offense
17 under the following provisions:

18 Section 1501(a) (relating to drivers required to be
19 licensed).

20 Section 1543 (relating to driving while operating
21 privilege is suspended or revoked).

22 (3) This subsection does not effect an additional period
23 of revocation of the operating privileges of a driver who
24 receives an additional period of revocation for a second or
25 subsequent violation of section 1543.

26 § 1533. Suspension of operating privilege for failure to
27 respond to citation.

28 The department shall suspend the operating privilege of any
29 person who has failed to respond to a citation to appear before
30 a court of competent jurisdiction of this Commonwealth or of any

1 state for violation of this title, other than parking, upon
2 being duly notified in accordance with the Pennsylvania Rules of
3 Civil and Criminal Procedure. There shall be 15 days to respond
4 to such notification before suspension is imposed. The
5 suspension shall be for an indefinite period until such person
6 shall respond and pay any fines and penalties imposed. Such
7 suspension shall be in addition to the requirement of
8 withholding renewal or reinstatement of a violator's driver's
9 license as prescribed in section 1503(c) (relating to persons
10 ineligible for licensing).

11 § 1534. Notice of acceptance of Accelerative Rehabilitative
12 Disposition.

13 If a person is arrested for any offense enumerated in section
14 1532 (relating to revocation or suspension of operating
15 privilege) and is offered and accepts Accelerative
16 Rehabilitative Disposition under the Pennsylvania Rules of
17 Criminal Procedure, the court shall promptly notify the
18 department.

19 § 1535. Schedule of convictions and points.

20 (a) General rule.--A point system for driver education and
21 control is hereby established which is related to other
22 provisions for use, suspension and revocation of the operating
23 privilege as specified under this title. Every driver licensed
24 in this Commonwealth who is convicted of any of the following
25 offenses shall be assessed points as of the date of violation in
26 accordance with the following schedule:

27	Section Number	Offense	Points
28	1512	Violation of restriction on	
29		driver's license.	2
30	1571	Violations concerning licenses.	3

1	3102	Failure to obey policeman or	
2		authorized person.	2
3	3112(a)(3)(i)	Failure to stop for a red light.	3
4	3114(a)(1)	Failure to stop for a flashing	
5		red light.	3
6	3302	Failure to yield half of roadway	
7		to oncoming vehicle.	3
8	3303	Improper passing.	3
9	3304	Other improper passing.	3
10	3305	Other improper passing.	3
11	3306(a)(1)	Other improper passing.	4
12	3306(a)(2)	Other improper passing.	3
13	3306(a)(3)	Other improper passing.	3
14	3307	Other improper passing.	3
15	3310	Following too closely.	3
16	3321	Failure to yield to driver on the	
17		right at intersection.	3
18	3322	Failure to yield to oncoming driver	
19		when making left turn.	3
20	3323(b)	Failure to stop for stop signs.	3
21	3324	Failure to yield when entering or	
22		crossing roadway between intersections.	3
23	3332	Improper turning around.	3
24	3341	Failure to stop for flashing red	
25		lights or gate at railroad crossing.	3
26	3344	Failure to stop when entering from	
27		alley, driveway or building.	3
28	3345(a)	Failure to stop for school bus	
29		with flashing red lights.	5

(and 30 days suspension)

1	3361	Driving too fast for conditions.	2
2	3362	Exceeding maximum speed.--Over Limit:	
3		6-10	2
4		11-15	3
5		16-25	4
6		26-30	5
7		31-over	5
8		(and departmental hearing and	
9		sanctions provided under	
10		section 1538(d))	
11	3365(b)	Exceeding special speed limit	
12		in school zones.	3
13	3365(c)	Exceeding special speed limit	
14		for trucks on downgrades.	3
15	3542(a)	Failure to yield to pedestrians in	
16		crosswalk.	2
17	3547	Failure to yield to pedestrian on	
18		sidewalk.	3
19	3549(a)	Failure to yield to blind pedestrian.	3
20	3702	Improper backing.	3
21	3714	Reckless driving	3
22	3745	Leaving scene of accident involving	
23		property damage only.	4

24 (b) Multiple offenses from same act.--If a driver is
25 convicted of two or more offenses as a result of the same act,
26 points shall be assessed only for the offense for which the
27 greatest number of points may be assessed.

28 (c) No points after six months.--The department shall assign
29 points to the record of any person within six months from the
30 date of a conviction. Any points assigned after such six-month

1 period shall be null and void.

2 § 1536. Notice of assignment of points.

3 Whenever points are assigned to a driver's record, the
4 department shall send to that person at his last known address a
5 letter of notice pointing out the fact and emphasizing the
6 nature and effects of the point system. Failure to receive such
7 letter shall not prevent the suspension of the operating
8 privilege pursuant to this subchapter.

9 § 1537. Removal of points.

10 (a) General rule.--Points recorded against any person shall
11 be removed at the rate of three points for each 12 consecutive
12 months in which such person has not committed any violation
13 which results in the assignment of points or in suspension or
14 revocation under this chapter. Removal of points is governed by
15 the date of violation.

16 (b) Subsequent accumulation of points.--When a driver's
17 record is reduced to zero points and is maintained at zero
18 points for 12 consecutive months, any accumulation of points
19 thereafter shall be regarded as an initial accumulation of
20 points.

21 § 1538. School, examination or hearing

22 on accumulation of points or excessive speeding.

23 (a) Initial accumulation of six points.--When any person's
24 record for the first time shows as many as six points, the
25 department shall require the person to attend an approved driver
26 improvement school or undergo a special examination and shall so
27 notify the person in writing. Upon satisfactory attendance and
28 completion of the course or upon passing the special
29 examination, two points shall be removed from the person's
30 record. Failure to attend and satisfactorily complete the

1 requirements of driver improvement school shall result in the
2 suspension of such person's operating privilege for 60 days.
3 Failure to pass the examination shall result in the suspension
4 of the operating privilege until the examination has been
5 satisfactorily completed.

6 (b) Second accumulation of six points.--

7 (1) When any person's record has been reduced below six
8 points and for the second time shows as many as six points,
9 the department shall require the person to attend a
10 departmental hearing. The hearing examiner may recommend one
11 or more of the following:

12 (i) That the person be required to attend a driver
13 improvement school.

14 (ii) That the person undergo an examination as
15 provided for in section 1508 (relating to examination of
16 applicant for driver's license).

17 (iii) That the person's driver's license be
18 suspended for a period not exceeding 15 days.

19 (2) The department may effect or modify the
20 recommendations of the hearing examiner but may not impose
21 any sanction not recommended by the hearing examiner.

22 (3) Upon completion of the sanction or sanctions imposed
23 by the department, two points shall be removed from the
24 person's record.

25 (4) Failure to attend the hearing or to attend and
26 satisfactorily complete the requirements of a driver
27 improvement school shall result in the suspension of such
28 person's operating privilege for 60 days. Failure to pass an
29 examination shall result in the suspension of such person's
30 operating privilege until the examination has been

1 satisfactorily completed.

2 (c) Subsequent accumulations of six points.--When any
3 person's record has been reduced below six points and for the
4 third or subsequent time shows as many as six points, the
5 department shall require the driver to attend a departmental
6 hearing to determine whether the person's operating privilege
7 should be suspended for a period not to exceed 30 days. Failure
8 to attend the hearing or to comply with the requirements of the
9 findings of the department shall result in the suspension of the
10 operating privilege until the person has complied.

11 (d) Conviction for excessive speeding.--

12 (1) When any person is convicted of driving 31 miles per
13 hour or more in excess of the speed limit, the department
14 shall require the person to attend a departmental hearing.
15 The hearing examiner may recommend one or more of the
16 following:

17 (i) That the person be required to attend a driver
18 improvement school.

19 (ii) That the person undergo an examination as
20 provided for in section 1508 (relating to examination of
21 applicant for driver's license).

22 (iii) That the person have his driver's license
23 suspended for a period not exceeding 15 days.

24 (2) The department shall effect at least one of the
25 sanctions but may not increase any suspension beyond 15 days.

26 (3) Failure to attend the hearing or to attend and
27 satisfactorily complete the requirements of a driver
28 improvement school shall result in the suspension of such
29 person's operating privilege for 60 days. Failure to pass an
30 examination shall result in the suspension of such person's

operating privilege until the examination has been
satisfactorily completed.

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

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

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

(c) Determination of subsequent suspensions.--Every
suspension and revocation under any provision of this subchapter
shall be counted in determining whether a suspension is a
second, third or subsequent suspension. Acceptance of
Accelerative Rehabilitative Disposition for an offense
enumerated in section 1532 (relating to revocation or suspension
of operating privilege) shall be considered a suspension in
making such determination.

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

§ 1540. Surrender of license.

(a) Surrender to court.--Upon a conviction for any offense
which calls for mandatory revocation in accordance with section
1532 (relating to revocation or suspension of operating
privilege), the court or the district attorney shall require the
surrender of any driver's license then held by the defendant and

1 shall forward the driver's license together with a record of the
2 conviction 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. Revocation of habitual offender's license.

7 (a) Powers of revocation.--The department shall revoke the
8 operating privilege of any person found to be a habitual
9 offender pursuant to the provisions of this section. A "habitual
10 offender" shall be any person whose driving record, as
11 maintained in the department, shows that such person has
12 accumulated the requisite number of convictions for the separate
13 and distinct offenses described and enumerated in subsection (b)
14 committed after the effective date, of this title and within any
15 period of five years thereafter.

16 (b) Offenses enumerated.--Three convictions arising from
17 separate acts of any one or more of the following offenses
18 committed either singularly or in combination by any person
19 shall result in such person being designated as a habitual
20 offender:

21 (1) Any offense set forth in section 1532 (relating to
22 revocation or suspension of operating privilege).

23 (2) Operation following suspension of registration as
24 defined in section 1371 (relating to operation following
25 suspension of registration).

26 (3) Making use of or operating any vehicle without the
27 knowledge or consent of the owner or custodian thereof.

28 (4) Utilizing a vehicle in the unlawful transportation
29 or unlawful sale of alcohol or any controlled substance.

30 (5) Any felony in the commission of which a court

determines that a vehicle was essentially involved.

(c) Accelerative Rehabilitative Disposition as an offense.--
Acceptance of Accelerative Rehabilitative Disposition for any
offense enumerated in subsection (b) shall be considered an
offense for the purposes of this section.

(d) Period of revocation.--The operating privilege of any
person found to be a habitual offender under the provisions of
this section shall be revoked by the department for a period of
five years.

(e) Additional offenses.--Any additional offense committed
within a period of five years shall result in a revocation for
an additional period of two years.

§ 1543. Driving while operating privilege is
suspended or revoked.

(a) Offense defined.--Any person who drives a motor vehicle
on any highway of this Commonwealth at a time when the operating
privilege is suspended, revoked or recalled is guilty of a
summary offense and shall, upon conviction, be sentenced to pay
a fine of \$200.

(b) Extending existing suspension or revocation.--The
department, upon receiving a certified record of the conviction
of any person under this section upon a charge of driving a
vehicle while the operating privilege was suspended, shall
revoke such privilege for an additional period of six months. If
the conviction was upon a charge of driving while the operating
privilege was revoked, the department shall revoke the operating
privilege for an additional period of one year.

§ 1544. Additional period of revocation or suspension.

(a) Additional point accumulation.--When any person's record
shows an accumulation of additional points during a period of

1 suspension or revocation, the department shall extend the
2 existing period of suspension or revocation at the rate of five
3 days for each additional point and the person shall be so
4 notified in writing.

5 (b) Additional suspension.--When any person's record shows
6 an additional suspension of the operating privilege assessed
7 during a period of suspension or revocation, the department
8 shall extend the existing period of suspension or revocation for
9 the appropriate period and the person shall be so notified in
10 writing.

11 (c) Revocation during suspension.--When any person's record
12 shows an additional conviction calling for revocation of the
13 operating privilege during a period of suspension, the
14 department shall add the appropriate revocation onto the period
15 of suspension and the person shall be so notified in writing.

16 (d) Revocation during revocation.--When any person's record
17 shows a conviction calling for revocation of the operating
18 privilege during a period of revocation, the department shall
19 extend the existing period of revocation for the appropriate
20 period and the person shall be so notified in writing.

21 § 1545. Restoration of operating privilege.

22 Upon the restoration of any person's operating privilege
23 which has been suspended or revoked pursuant to this subchapter,
24 such person's record shall show five points, except that any
25 additional points assessed against the person since the date of
26 the last violation resulting in the suspension or revocation
27 shall be added to such five points unless the person has served
28 an additional period of suspension or revocation pursuant to
29 section 1544(a) (relating to additional period of revocation or
30 suspension).

1 § 1546. Suspension or revocation of nonresident's
2 operating privilege.

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

8 (b) Transmitting department action to state of residence.--
9 When a nonresident's operating privilege is suspended or
10 revoked, the department shall forward a certified copy of the
11 record of such action to the motor vehicle administrator in the
12 state wherein such person resides if there is a reciprocity
13 agreement with the other state.

14 § 1547. Chemical test to determine amount of alcohol.

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

27 (b) Suspension for refusal.--

28 (1) If any person placed under arrest for driving under
29 the influence of alcohol is requested to submit to a chemical
30 test and refuses to do so, the test shall not be given but

1 upon notice by the police officer, the department shall:

2 (i) suspend the operating privilege of the person
3 for a period of six months; or

4 (ii) revoke the operating privilege of the person
5 for a period of one year for a second or subsequent
6 refusal within a period of three years.

7 (2) It shall be the duty of the police officer to inform
8 the person that the person's operating privilege will be
9 suspended or revoked upon refusal to submit to a chemical
10 test.

11 (3) Any person whose operating privilege is suspended
12 under the provisions of this section shall have the same
13 right of appeal as provided for in cases of suspension or
14 revocation for other reasons.

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

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

25 (1) That the amount of alcohol by weight in the blood of
26 the person tested is 0.05% or less, it shall be presumed that
27 the person tested was not under influence of alcohol and the
28 person shall not be charged with any violation under section
29 3732(a)(1) or (2) (relating to driving under influence of
30 alcohol or controlled substance), or if the person was so

1 charged prior to the test, the charge shall be void ab
2 initio.

3 (2) That the amount of alcohol by weight in the blood of
4 the person tested is in excess of 0.05% but less than 0.10%,
5 this fact shall not give rise to any presumption that the
6 person tested was or was not under the influence of alcohol,
7 but this fact may be considered with other competent evidence
8 in determining whether the person was or was not under the
9 influence of alcohol.

10 (3) That the amount of alcohol by weight in the blood of
11 the person tested is 0.10% or more, it shall be presumed that
12 the defendant was under the influence of alcohol.

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

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

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

30 (h) Test by personal physician.--The person tested shall be

1 permitted to have a physician of his own choosing administer an
2 additional breath or blood chemical test and the results of the
3 test shall also be admissible in evidence. The chemical test
4 given at the direction of the police officer shall not be
5 delayed by a person's attempt to obtain an additional test.

6 (i) Request by driver for test.--Any person involved in an
7 accident or placed under arrest for driving a motor vehicle
8 while under the influence of alcohol may request that he be
9 given a chemical test of his breath. Such requests shall be
10 honored when it is reasonably practicable to do so.

11 (j) Immunity from civil liability and reports.--No
12 physician, nurse or technician or hospital employing such
13 physician, nurse or technician, and no other employer of such
14 physician, nurse or technician shall be civilly liable for the
15 withdrawing of blood and reporting of test results to the police
16 at the request of a police officer pursuant to this section.

17 § 1548. Post conviction examination for driving under
18 influence.

19 (a) Pre-sentencing examination.--Before sentencing any
20 person convicted for a second or subsequent offense of violating
21 section 3732 (relating to driving under influence of alcohol or
22 controlled substance), committed within five years of a prior
23 offense of section 3732, the court shall conduct or order an
24 appropriate examination or examinations under the act of October
25 20, 1966 (3rd Sp.Sess., P.L.96, No.6), known as the "Mental
26 Health and Mental Retardation Act of 1966," to determine whether
27 the person needs or would benefit from treatment for alcohol or
28 drug abuse.

29 (b) Order for treatment.--After the examination, the court
30 may, upon a hearing and determination that the person is a

1 chronic abuser of alcohol or drugs, order supervised treatment
2 on an outpatient basis, or upon additional determinations that
3 the person is a severely debilitated drug or alcohol abuser who
4 represents a demonstrated and serious public threat and that
5 adequate treatment facilities are available, the court may order
6 him committed for treatment at a facility or institution
7 approved by the Governor's Council on Drug and Alcohol Abuse.

8 (c) Examination by own physician.--Any person subject to
9 this section may be examined by a physician of his own choosing
10 and the results of the examination shall be considered by the
11 court.

12 (d) Review of order.--Upon motion duly made by the convicted
13 person, an attorney, a relative or an attending physician, the
14 court at any time after an order of commitment shall review the
15 order. After determining the progress of treatment, the court
16 may order its continuation, the person's release or supervised
17 treatment on an outpatient basis.

18 § 1549. Establishment of schools.

19 (a) Driver improvement schools.--The department is
20 authorized to establish and maintain driver improvement schools
21 throughout this Commonwealth. The department may approve and
22 conduct an annual review of the course material for the schools.
23 The curriculum to be presented must be uniform throughout this
24 Commonwealth. All instructors shall be properly certified by the
25 department after the completion of a course of instruction
26 approved by the department.

27 (b) Course of instruction on alcohol and driving.--The
28 department in conjunction with the Governor's Council on Drug
29 and Alcohol Abuse shall establish and maintain a course of
30 instruction on the problems of alcohol and driving. The

1 curriculum of the course of instruction established by the
2 department and the Governor's Council on Drug and Alcohol Abuse
3 shall be uniform throughout this Commonwealth and shall be
4 reviewed by the department and the Governor's Council on Drug
5 and Alcohol Abuse on an annual basis.

6 § 1550. Judicial review.

7 (a) General rule.--Any person denied a driver's license or
8 whose operating privilege has been recalled, canceled, suspended
9 or revoked by the department shall have the right to appeal by
10 filing a petition within 30 days from the date notice is mailed
11 for a hearing in the court of common pleas of the county in
12 which the driver resides or, in the case of cancellation,
13 suspension or revocation of a nonresident's operating privilege,
14 in the county in which the offense giving rise to the recall,
15 cancellation, suspension or revocation occurred.

16 (b) Supersedeas.--The filing of the petition shall operate
17 as a supersedeas and no recall, suspension, cancellation or
18 revocation shall be imposed against such person until final
19 determination of the matter.

20 (c) Jurisdiction and proceedings of court.--The court is
21 hereby vested with jurisdiction and it shall be its duty to set
22 the matter for hearing forthwith upon 30 days written notice to
23 the department and to determine whether the petitioner is in
24 fact the person whose operating privilege is subject to the
25 recall, suspension, cancellation or revocation.

26 § 1551. Notice of suspension of licenses or permits.

27 The department shall promptly notify each person whose
28 license or permit is suspended as a result of the accumulation
29 of points. The notification that the license or permit is
30 suspended shall be made within six months following the

conviction of a violation of this title that resulted in the addition of sufficient points to cause the suspension. Failure of the department to give prompt notice of suspension as required by this section shall prohibit the department from suspending the license or permit of such person.

SUBCHAPTER C

VIOLATIONS

Sec.

1571. Violations concerning licenses.

1572. Cancellation of driver's license.

1573. Driving under foreign license during suspension or revocation.

1574. Permitting unauthorized person to drive.

1575. Permitting violation of title.

1576. Local authorities liable for negligence of their employees.

§ 1571. Violations concerning licenses.

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

(1) To exhibit or cause or permit to be exhibited or have in possession any recalled, canceled, suspended, revoked, fictitious or fraudulently altered driver's license.

(2) To lend a driver's license to any other person or 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 recalled, 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

1 conviction, be sentenced to pay a fine of \$100.

2 § 1572. Cancellation of driver's license.

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

10 § 1573. Driving under foreign license during suspension or
11 revocation.

12 Any resident or nonresident whose operating privilege to
13 drive a motor vehicle in this Commonwealth has been recalled,
14 cancelled, suspended or revoked as provided in this title shall
15 not drive a motor vehicle in this Commonwealth under a license
16 or permit issued by any other jurisdiction or otherwise during
17 the suspension or after the recall, cancellation or revocation
18 until a new driver's license is obtained when and as permitted
19 under this chapter.

20 § 1574. Permitting unauthorized person to drive.

21 (a) General rule.--No person shall authorize or permit a
22 motor vehicle owned by him or under his control to be driven
23 upon any highway by any person who is not authorized under this
24 chapter or who is not licensed for the type or class of vehicle
25 to be driven.

26 (b) Penalty.--Any person violating the provisions of
27 subsection (a) is guilty of a summary offense and shall be
28 jointly and severally liable with the driver for any damages
29 caused by the negligence of such driver in operating the
30 vehicle.

1 § 1575. Permitting violation of title.

2 (a) General rule.--No person shall authorize or permit a
3 motor vehicle owned by him or under his control to be driven in
4 violation of any of the provisions of this title.

5 (b) Penalty.--Any person violating the provisions of
6 subsection (a) is guilty of the same offense as the driver of
7 such vehicle and subject to the same penalties including any
8 suspension or revocation of the operating privilege or the
9 assessment of points.

10 § 1576. Local authorities liable for negligence of their
11 employees.

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

24 CHAPTER 17

25 FINANCIAL RESPONSIBILITY

26 Subchapter

27 A. General Provisions

28 B. Proof of Future Responsibility

29 SUBCHAPTER A

30 GENERAL PROVISIONS

1 Sec.

2 1701. Application of chapter.

3 1702. Administration of chapter.

4 1703. Availability of other remedies.

5 1704. Transfer of suspended registration to evade chapter.

6 § 1701. Application of chapter.

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

10 § 1702. Administration of chapter.

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

14 § 1703. Availability of other remedies.

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

18 § 1704. Transfer of suspended registration to evade chapter.

19 (a) General rule.--If the registrations of any vehicles are
20 suspended under this chapter, the registrations shall not be
21 transferred, nor the vehicles registered in any other name,
22 until the department is satisfied that the transfer of
23 registrations is proposed in good faith and not for the purpose
24 or with the effect of defeating the purposes of this chapter.

25 (b) Sale of repossessed vehicle.--This section does not
26 apply to or affect the registration of any motor vehicle sold by
27 a person who, pursuant to the terms or conditions of any written
28 instrument giving a right of repossession, has exercised such
29 right and has repossessed the motor vehicle from a person whose
30 registration has been suspended under the provisions of this

1 chapter.

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

7 SUBCHAPTER B

8 NONPAYMENT OF JUDGMENTS

9 Sec.

10 1741. Court reports on nonpayment of judgments.

11 1742. Suspension for nonpayment of judgments.

12 1743. Continuation of suspension until judgments paid and
13 proof given.

14 1744. Payments sufficient to satisfy judgments.

15 1745. Installment payment of judgments.

16 1746. Proof of financial responsibility after suspension or
17 revocation.

18 1747. Providing financial responsibility.

19 § 1741. Court reports on nonpayment of judgments.

20 (a) General rule.--Whenever any person fails within 60 days
21 to satisfy any judgment arising from a motor vehicle accident,
22 the judgment creditor may forward to the department a certified
23 copy of the judgment.

24 (b) Notice to state of nonresident defendant.--If the
25 defendant named in any certified copy of a judgment reported to
26 the department is a nonresident, the department shall transmit a
27 certified copy of the judgment to the official in charge of the
28 issuance of licenses and registration certificates of the state
29 of which the defendant is a resident.

30 § 1742. Suspension for nonpayment of judgments.

1 (a) General rule.--The department, upon receipt of a
2 certified copy of a judgment, shall suspend the operating
3 privilege of each driver and registration of each owner against
4 whom the judgment was rendered except as otherwise provided in
5 this section and in section 1745 (relating to installment
6 payment of judgments).

7 (b) Nonsuspension with consent of judgment creditor.--If the
8 judgment creditor consents in writing, in such form as the
9 department may prescribe, that the judgment debtor's operating
10 privilege and registrations be retained or restored, the
11 department shall not suspend or shall restore until the consent
12 is revoked in writing, notwithstanding default in the payment of
13 the judgment, or of any installment thereof prescribed in
14 section 1745, provided the judgment debtor furnishes proof of
15 financial responsibility.

16 (c) Insurance in effect at time of accident.--Any person
17 whose operating privilege or registrations have been suspended,
18 or are about to be suspended or become subject to suspension,
19 under the provisions of this chapter, shall be relieved from the
20 effect of the judgment as prescribed in this chapter if the
21 person files evidence satisfactory to the department that the
22 insurance required by section 104 (a) of the "Pennsylvania No-
23 fault Motor Vehicle Insurance Act," was in force and effect at
24 the time of the accident resulting in the judgment and is or
25 should be available for the satisfaction of the judgment. If the
26 required insurance is not available because the insurance
27 company has gone into receivership or bankruptcy, the person
28 shall only be required to present to or file with the department
29 proper evidence that an insurance policy was in force and effect
30 at the time of the accident.

1 § 1743. Continuation of suspension until judgments paid and
2 proof given.

3 A person's operating privilege and all registrations shall
4 remain suspended and shall not be renewed nor shall any
5 registration be thereafter issued in the name of such person
6 unless and until every such judgment is stayed, satisfied in
7 full or to the extent provided in this subchapter, and until the
8 person furnishes proof of financial responsibility as required.

9 § 1744. Payments sufficient to satisfy judgments.

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

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

17 (2) When \$30,000 has been credited upon any judgment or
18 judgments rendered in excess of that amount because of bodily
19 injury to or death of two or more persons as the result of
20 any one accident.

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

25 (b) Credit for payment under settlement.--Payments made in
26 settlement of any claims because of bodily injury, death or
27 property damage arising from a motor vehicle accident shall be
28 credited in reduction of the amounts provided for in this
29 section.

30 (c) Escrow deposit by judgment creditor.--When the judgment

1 creditor cannot be found, the judgment debtor may deposit in
2 escrow with the prothonotary of the court where the judgment was
3 entered an amount equal to the amount of the judgment, subject
4 to the limits set forth in subsection (a), interest to date and
5 record costs, whereupon the prothonotary shall notify the
6 department and the judgment shall be deemed satisfied. The
7 amount deposited shall be retained by the prothonotary for a
8 period of five years from the date of the deposit, after which,
9 if it has not been claimed by the judgment creditor, it shall be
10 returned to the judgment debtor. When the deposit is made, the
11 prothonotary shall notify the judgment creditor and his counsel,
12 if any, by certified or registered mail at his last known
13 address. No interest shall run on any judgment with respect to
14 the amount deposited with the prothonotary under the terms of
15 this subsection.

16 § 1745. Installment payment of judgments.

17 (a) Order authorizing installment payment.--A judgment
18 debtor, upon due notice to the judgment creditor, may apply to
19 the court in which the judgment was rendered for the privilege
20 of paying the judgment in installments and the court, in its
21 discretion and without prejudice to any other legal remedies
22 which the judgment creditor may have, may so order and fix the
23 amounts and times of payment of the installments.

24 (b) Suspension prohibited during compliance with order.--The
25 department shall not suspend a driver's operating privilege or
26 registrations and shall restore any operating privilege or
27 registration suspended following nonpayment of a judgment when
28 the judgment debtor obtains an order permitting payment of the
29 judgment in installments and while the payment of any
30 installment is not in default, provided that the judgment debtor

1 furnishes proof of financial responsibility.

2 (c) Suspension for default in payment.--In the event the
3 judgment debtor fails to pay any installment as specified by the
4 order, then, upon notice of the default, the department shall
5 suspend the operating privilege and all registrations of the
6 judgment debtor until the judgment is satisfied as provided in
7 this chapter.

8 § 1746. Proof of financial responsibility after suspension or
9 revocation.

10 Whenever the department suspends or revokes the operating
11 privilege of any person upon receiving record of a conviction or
12 forfeiture of bail, the department shall not restore the
13 operating privilege until the person furnishes proof of
14 financial responsibility.

15 § 1747. Providing financial responsibility.

16 (a) General rule.--Proof of financial responsibility may be
17 furnished by filing evidence satisfactory to the department that
18 all motor vehicles registered in a person's name are covered by
19 the insurance required in section 104 of the act of July 18,
20 1974 (P.L.489, No.176), known as the "Pennsylvania No-fault
21 Motor Vehicle Insurance Act"; or, if the person has no motor
22 vehicle, that the person is covered by a non-owner's policy
23 having the same limits of liability as are required in section
24 104 of that act.

25 (b) Nonresident.--The nonresident owner of a motor vehicle
26 not registered in this Commonwealth may give proof of financial
27 responsibility by filing with the department a written
28 certificate or certificates of an insurance carrier authorized
29 to transact business in the state in which the motor vehicle or
30 motor vehicles described in the certificate is registered or, if

1 the nonresident does not own a motor vehicle, then in the state
2 in which the insured resides, provided the certificate otherwise
3 conforms to the provisions of this chapter, and the department
4 shall accept the certificate upon condition that the insurance
5 carrier complies with the following provisions with respect to
6 the policies so certified:

7 (1) The insurance carrier shall execute a power of
8 attorney authorizing the department to accept service on its
9 behalf or process in any action arising out of a motor
10 vehicle accident in this Commonwealth.

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

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

22 CHAPTER 19

23 FEES

24 Subchapter

- 25 A. General Provisions
- 26 B. Registration Fees
- 27 C. Permits
- 28 D. Miscellaneous Fees

29 SUBCHAPTER A

30 GENERAL PROVISIONS

1 Sec.

2 1901. Exemption of entities and vehicles from fees.

3 1902. Exemptions from other fees.

4 1903. Limitation on local license fees and taxes.

5 1904. Collection and disposition of fees and moneys.

6 § 1901. Exemption of entities and vehicles from fees.

7 (a) Governmental and quasi-governmental entities.--Except as
8 otherwise specifically provided in this title, no fees shall be
9 charged under this title to any of the following:

10 (1) The Commonwealth.

11 (2) Political subdivisions.

12 (3) State and local authorities.

13 (4) The Federal Government.

14 (5) Other states.

15 (b) Title and registration fees.--No fee shall be charged
16 for titling or registration of any of the following:

17 (1) Buses registered by urban mass transportation
18 systems except that this paragraph shall cover only the
19 number of buses which the department determines are required
20 to provide scheduled service within the county in which they
21 have their principal place of business or contiguous
22 counties.

23 (2) Vehicles registered by volunteer fire, rescue and
24 ambulance associations.

25 (3) Vehicles registered by foreign nationals with the
26 rank of vice consul or higher assigned to a consulate in this
27 Commonwealth provided that citizens of the United States are
28 granted reciprocal exemptions.

29 (4) Vehicles of totally disabled veterans whose
30 disability is certified by the United States Veterans'

Administration as service-connected.

(c) Processing fee in lieu of registration fee.--No registration fee shall be charged for vehicles registered by any of the following but the department shall charge a fee of \$10 to cover the costs of processing for issuing or renewing the registration:

(1) Hospital.

(2) Humane society.

(3) Nonprofit youth center.

(4) American Red Cross.

(5) Church.

(6) Girl Scouts of America.

(7) Boy Scouts of America.

(8) Salvation Army.

(9) Duly chartered posts of national veterans' organizations.

(10) Young Men's Christian Association.

(11) Young Men's Hebrew Association.

(12) Young Women's Christian Association.

(13) Young Women's Hebrew Association.

(14) Jewish Community Center.

(15) Nonprofit corporations of musical marching groups of youths.

(16) Any person who is retired and receiving social security or other pension and whose total income does not exceed \$7,500 per year. Unless the retired person is physically or mentally incapable of driving the vehicle, the retired person shall be the principal driver of the vehicle but may from time to time authorize another person to drive the vehicle in his or her stead.

1 (17) Any veteran who lost a limb or eye or who became
2 partially paralyzed while serving in the armed forces of the
3 United States.

4 (d) Limitations.--

5 (1) Vehicles titled and registered under the provisions
6 of this section shall be operated and used exclusively for
7 the purpose for which the vehicles were entitled to the
8 exemptions from fees.

9 (2) Only one passenger vehicle or one other vehicle with
10 a gross weight or registered gross weight of not more than
11 9,000 pounds may be registered to any person under the
12 provisions of subsection (b)(4) and subsection (c)(16) and
13 (17).

14 (e) Penalty.--Any person violating the provisions of this
15 section is guilty of a summary offense.

16 § 1902. Exemptions from other fees.

17 No fee shall be charged under this title for or to any of the
18 following:

19 (1) A certificate of title returned to the department
20 for cancellation.

21 (2) The replacement of a registration card or plate,
22 driver's license, learner's permit or certificate of title
23 lost in the mail if the applicant files an affidavit of non-
24 receipt within 45 days of the date of original issuance.

25 (3) A certificate of junk.

26 (4) A certificate of rejection.

27 (5) A special hauling permit issued to any person
28 hauling equipment or materials for use on a Federal or State
29 emergency relief project.

30 (6) A manufacturer, jobber or dealer for a certificate

of title to a motor vehicle, trailer or semi-trailer when assignment of certificate of title accompanies the application for certificate of title, and when the dealer, manufacturer or jobber is possessed of current manufacturer's dealer's or jobber's registration plates.

§ 1903. Limitation on local license fees and taxes.

No municipality shall require or collect any registration or license fee or tax for any vehicle or driver's license from any person.

§ 1904. Collection and disposition of fees and moneys.

The department shall collect all fees payable under this title and all other moneys received in connection with the administration of this title and transmit them to the State Treasurer for deposit in the Motor License Fund. Moneys paid in error may be refunded by the department.

SUBCHAPTER B

REGISTRATION FEES

Sec.

1911. Annual registration fees.

1912. Passenger cars.

1913. Motor homes.

1914. Motorcycles.

1915. Motor-driven cycles.

1916. Trucks and truck-tractors.

1917. Motor buses.

1918. School buses.

1919. Electric vehicles.

1920. Trailers.

1921. Special mobile equipment.

1922. Implements of husbandry.

1 1923. Antique and classic vehicles.

2 1924. Farm trucks.

3 1925. Ambulances, taxis and hearses.

4 1926. Dealers and miscellaneous motor vehicle business.

5 1927. Transfer of registration.

6 1928. Temporary registration plates.

7 1929. Replacement registration plates.

8 1930. Legislative registration plates.

9 1931. Personal registration plates.

10 1932. Duplicate registration cards.

11 § 1911. Annual registration fees.

12 (a) General rule.--An annual fee for the registration of
13 vehicles as provided in Chapter 13 (relating to the registration
14 of vehicles) shall be charged by the department as provided in
15 this title.

16 (b) Department to establish certain fees.--If a vehicle to
17 be registered is of a type not specifically provided for by this
18 title and is otherwise eligible for registration, the department
19 shall determine the most appropriate fee or fee schedule for the
20 vehicle or type of vehicle based on such factors as design and
21 intended use.

22 § 1912. Passenger cars.

23 The annual fee for registration of a passenger car shall be
24 \$24.

25 § 1913. Motor homes.

26 The annual fee for registration of a motor home shall be
27 determined by its registered gross weight in pounds according to
28 the following table:

29	Class	Registered Gross	Fee
30		Weight in Pounds	

1	1	8,000 or less	\$30
2	2	8,001 - 11,000	42
3	3	11,001 or more	54

4 § 1914. Motorcycles.

5 The annual fee for registration of a motorcycle other than a
6 motor-driven cycle shall be \$12.

7 § 1915. Motor-driven cycles.

8 The annual fee for registration of a motor-driven cycle shall
9 be \$6.

10 § 1916. Trucks and truck-tractors.

11 The annual fee for registration of a truck or truck-tractor
12 shall be determined by its registered gross weight or
13 combination weight in pounds according to the following table:

14	Class	Registered	Fee
15		Gross or Combination	
16		Weight in Pounds	
17	1	5,000 or less	\$ 39
18	2	5,001 - 7,000	52
19	3	7,001 - 9,000	84
20	4	9,001 - 11,000	108
21	5	11,001 - 14,000	132
22	6	14,001 - 17,000	156
23	7	17,001 - 21,000	192
24	8	21,001 - 26,000	216
25	9	26,001 - 30,000	252
26	10	30,001 - 33,000	300
27	11	33,001 - 36,000	324
28	12	36,001 - 40,000	342
29	13	40,001 - 44,000	360
30	14	44,001 - 48,000	384

1	15	48,001 - 52,000	420
2	16	52,001 - 56,000	444
3	17	56,001 - 60,000	501
4	18	60,001 - 64,000	552
5	19	64,001 - 68,000	576
6	20	68,001 - 73,280	606

7 § 1917. Motor buses.

8 The annual fee for registration of a motor bus shall be
9 determined by its seating capacity according to the following
10 table:

11	Seating Capacity	Fee
12	26 or less	\$ 6 per seat
13	27 - 51	\$156 plus \$7.50 per
14		seat in excess of 26
15	52 or more	\$360

16 § 1918. School buses.

17 The annual fee for registration of a school bus shall be \$24.

18 § 1919. Electric vehicles.

19 The annual fee for registration of a vehicle which is
20 propelled by electric power shall be \$12.

21 § 1920. Trailers.

22 The annual fee for registration of a trailer shall be
23 determined by its registered gross weight according to the
24 following table:

25	Registered Gross	Fee
26	Weight in Pounds	
27	3,000 or less	\$ 6
28	3,001 - 10,000	12
29	10,001 or more	27

30 § 1921. Special mobile equipment.

1 The annual fee for registration of special mobile equipment
2 shall be \$24.

3 § 1922. Implements of husbandry.

4 The annual fee for registration of an implement of husbandry
5 not exempt from registration under this title shall be \$12.

6 § 1923. Antique and classic vehicles.

7 The fee for registration of an antique or classic motor
8 vehicle shall be \$50.

9 § 1924. Farm trucks.

10 The annual fee for registration of a farm truck shall be \$27.

11 § 1925. Ambulances, taxis and hearses.

12 The annual fee for registration of an ambulance, taxi or
13 hearse shall be \$36.

14 § 1926. Dealers and miscellaneous motor vehicle business.

15 (a) General rule.--The annual fee for a dealer registration
16 plate or miscellaneous motor vehicle business plate shall be
17 \$24.

18 (b) Motorcycle dealers.--The annual fee for each dealer
19 registration plate issued to a motorcycle dealer other than a
20 motor-driven cycle dealer shall be \$12.

21 (c) Motor-driven cycle dealers.--The annual fee for each
22 dealer registration plate issued to a motor-driven cycle dealer
23 shall be \$6.

24 § 1927. Transfer of registration.

25 The fee for transfer of registration shall be \$4.

26 § 1928. Temporary registration plates.

27 The fee payable by a dealer or other dispensing agent for a
28 temporary registration plate shall be \$1. The charge of the
29 agent for providing an applicant with a temporary plate shall
30 not exceed a total of \$5.

1 § 1929. Replacement registration plates.

2 The fee for a replacement registration plate other than a
3 legislative or personal plate shall be \$5.

4 § 1930. Legislative registration plates.

5 The fee for issuance of a legislative registration plate
6 shall be \$20 which shall be in addition to the annual
7 registration fee. Only one payment of the issuance fee shall be
8 charged for each legislative registration plate issued or
9 replaced.

10 § 1931. Personal registration plates.

11 The fee for issuance of a personal registration plate shall
12 be \$20 which shall be in addition to the annual registration
13 fee. Only one payment of the issuance fee shall be charged for
14 each personal registration issued or replaced.

15 § 1932. Duplicate registration cards.

16 The fee for each duplicate registration card when ordered at
17 the time of vehicle registration or transfer or renewal of
18 registration shall be \$1. The fee for each duplicate
19 registration card issued at any other time shall be \$3.

20 SUBCHAPTER C

21 PERMITS

22 Sec.

23 1941. Scope of subchapter.

24 1942. Special hauling permits as to weight and size.

25 1943. Annual hauling permits.

26 1944. Mobile homes and similar trailers.

27 1945. Books of permits.

28 1946. Movements requiring special escort.

29 1947. Refund of certain fees.

30 § 1941. Scope of subchapter.

1 This subchapter prescribes fees payable to the department for
2 permits covering movements on State highways and does not limit
3 the right of local authorities to prescribe fees for permits for
4 movements on streets and highways under their jurisdiction.

5 § 1942. Special hauling permits as to weight and size.

6 The fee for a special hauling permit for each movement of an
7 overweight or oversize vehicle or load, or both, shall be \$15.

8 An overweight vehicle shall be charged an additional 3¢ per ton-
9 mile for the number of tons by which the gross weight exceeds
10 the registered gross weight.

11 § 1943. Annual hauling permits.

12 (a) Quarry equipment and machinery.--The annual fee for
13 operation or movement of each piece of heavy quarry equipment or
14 machinery, as provided for in section 4966 (relating to permit
15 for movement of quarry equipment), shall be \$25.

16 (b) Implements of husbandry.--The annual fee for operation
17 or movement of oversize self-propelled implements of husbandry,
18 as provided for in section 4967 (relating to permit for movement
19 of implements of husbandry), shall be \$20 for the first
20 implement and \$5 for each additional implement.

21 (c) Equipment being manufactured.--The annual fee for
22 operation or movement of equipment being manufactured, as
23 provided for in section 4968 (relating to permit for movement of
24 equipment being manufactured), shall be \$50.

25 (d) Multiple highway crossings.--The annual fee for a single
26 permit for multiple highway crossings, as provided for in
27 section 4965 (relating to single permits for multiple highway
28 crossings), shall be \$25.

29 (e) Vehicles with oversize tires.--The annual fee for
30 movement of a vehicle with oversize tires, as provided for in

1 section 4969 (relating to vehicles with oversize tires) shall be
2 \$50.

3 § 1944. Mobile homes and similar trailers.

4 The fee for a special hauling permit for a mobile home or
5 similar trailer which exceeds the maximum size prescribed in
6 this title shall be \$20.

7 § 1945. Books of permits.

8 (a) General rule.--Upon request, permits for movement of
9 oversize vehicles or loads, the dimensions of which do not
10 exceed those specified by the department, will be issued in
11 booklet form, containing a convenient number of permits. For
12 each movement, one permit shall be removed from the booklet,
13 dated, trip data entered and securely affixed to the vehicle or
14 load.

15 (b) Penalty.--Any person violating any of the provisions of
16 this section is guilty of a summary offense and shall, upon
17 conviction, be sentenced to pay a fine of \$500.

18 § 1946. Movements requiring special escort.

19 When a special escort is required, as provided for in section
20 4962 (relating to conditions of permits and security for
21 damages), the cost of the escort shall be added to the permit
22 fee. The department, the Pennsylvania State Police and local
23 authorities may establish schedules of fees for escort costs
24 based on mileage or otherwise.

25 § 1947. Refund of certain fees.

26 The portion of the fee of an unused overweight permit based
27 on ton-miles or the fee for an unused escort, or both, may be
28 refunded upon payment of a processing fee of \$10.

29 SUBCHAPTER D

30 MISCELLANEOUS FEES

1 Sec.

2 1951. Driver's license and learner's permit.

3 1952. Certificate of title.

4 1953. Security interest.

5 1954. Approval of vehicle equipment and testing devices.

6 1955. Information concerning drivers and vehicles.

7 1956. Certified copies of records.

8 1957. Uncollectible checks.

9 1958. Certificate of inspection.

10 1959. Messenger service.

11 § 1951. Driver's license and learner's permit.

12 (a) Driver's license.--The annual fee for a driver's license
13 shall be \$5 plus the cost of the photograph required in section
14 1510(a) (relating to issuance and content of driver's license).

15 (b) Learner's permit.--The fee for a learner's permit shall
16 be \$5.

17 (c) Identification card.--The fee for an identification card
18 shall be \$5.

19 (d) Replacement license or card.--The fee for a replacement
20 driver's license or identification card shall be \$5.

21 § 1952. Certificate of title.

22 (a) General rule.--The fee for a certificate of title shall
23 be \$5.

24 (b) Duplicate certificate.--The fee for a duplicate
25 certificate of title shall be \$5.

26 (c) Manufacturer's or dealer's notification.--The fee for a
27 manufacturer's or dealer's notification of acquisition of a
28 vehicle from another manufacturer or dealer for resale pursuant
29 to section 1113 (relating to transfer to or from manufacturer or
30 dealer) shall be \$2.

1 § 1953. Security interest.

2 The fee for recording or changing the amount of security
3 interest on a certificate of title shall be \$5.

4 § 1954. Approval of vehicle equipment and testing devices.

5 The department is authorized to charge reasonable fees for
6 the approval of vehicle equipment and testing devices under the
7 provisions of section 4104 (relating to testing and approval of
8 equipment) except that:

9 (1) fees for other testing shall be based on the cost of
10 operating the department equipment approval program and shall
11 not exceed similar fees charged by the American Association
12 of Motor Vehicle Administrators; and

13 (2) no fee shall be charged for approval based on
14 certifications of the American Association of Motor Vehicle
15 Administrators.

16 § 1955. Information concerning drivers and vehicles.

17 (a) Registrations, titles and security interests.--The fee
18 for copies of or information relating to a registration, title
19 or security interest shall be \$2.50.

20 (b) Other data and information.--The department may charge
21 to any person or governmental or quasi-governmental entity a
22 reasonable fee based on the cost to the department of compiling
23 data and statistical information upon request.

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. Certificate of inspection.

15 The department shall charge 25¢ for each certificate of
16 inspection.

17 § 1959. Messenger service.

18 (a) Annual registration.--The annual fee for registration of
19 a messenger service as provided for in Chapter 75 (relating to
20 messenger service) shall be \$50.

21 (b) Additional places of business.--The annual fee for
22 registration of additional place of business or branch office
23 from which a messenger service may transact business shall be
24 \$25.

25 (c) Transfer of location.--The fee for the transfer of
26 location of a registered place of business or branch office of a
27 messenger service during a period of registration shall be \$5.

28 PART III

29 OPERATION OF VEHICLES

30 Chapter

- 1 31. General Provisions
- 2 33. Rules of the Road in General
- 3 35. Special Vehicles and Pedestrians
- 4 37. Miscellaneous Provisions.

5 CHAPTER 31

6 GENERAL PROVISIONS

7 Subchapter

- 8 A. Obedience To and Effect of Traffic Laws
- 9 B. Traffic-control Devices

10 SUBCHAPTER A

11 OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS

12 Sec.

13 3101. Application of part.

14 3102. Obedience to authorized persons directing traffic.

15 3103. Persons riding animals or driving animal-drawn vehicles.

16 3104. Persons working on highways.

17 3105. Drivers of emergency vehicles.

18 3106. Operators of streetcars.

19 § 3101. Application of part.

20 (a) General rule.--Except as provided in subsection (b), the
21 provisions of this part relating to the operation of vehicles
22 refer exclusively to the operation of vehicles upon highways
23 except where a different place is specifically referred to in a
24 particular provision.

25 (b) Serious traffic offenses.--The provisions of Subchapter
26 B of Chapter 37 (relating to serious traffic offenses) shall
27 apply upon highways and traffic ways throughout this
28 Commonwealth.

29 § 3102. Obedience to authorized persons directing traffic.

30 No person shall willfully fail or refuse to comply with any

1 lawful order or direction of any uniformed police officer,
2 sheriff or constable or any appropriately attired person
3 authorized to direct, control or regulate traffic.

4 § 3103. Persons riding animals or driving animal-drawn
5 vehicles.

6 (a) General rule.--Every person riding an animal or driving
7 any animal-drawn vehicle upon a roadway shall be granted all of
8 the rights and shall be subject to all of the duties applicable
9 to the driver of a vehicle by this part, except those provisions
10 of this part which by their very nature can have no application
11 or where specifically provided otherwise.

12 (b) Limited-access highways.--No person shall ride an animal
13 or drive any animal-drawn vehicle upon a limited-access highway.

14 § 3104. Persons working on highways.

15 Unless specifically made applicable, the provisions of this
16 part, except those contained in Subchapter B of Chapter 37
17 (relating to serious traffic offenses), shall not apply to
18 persons, motor vehicles, and equipment while actually engaged in
19 work upon a highway but shall apply to such persons and vehicles
20 when traveling to or from such work.

21 § 3105. Drivers of emergency vehicles.

22 (a) General rule.--The driver of an emergency vehicle, when
23 responding to an emergency call or when in the pursuit of an
24 actual or suspected violator of the law or when responding to
25 but not upon returning from a fire alarm, may exercise the
26 privileges set forth in this section, but subject to the
27 conditions stated in this section.

28 (b) Exercise of special privileges.--The driver of an
29 emergency vehicle may:

30 (1) Park or stand, irrespective of the provisions of

1 this part.

2 (2) Proceed past a red signal indication or stop sign,
3 but only after slowing down as may be necessary for safe
4 operation, except as provided in subsection (d).

5 (3) Exceed the maximum speed limits so long as the
6 driver does not endanger life or property, except as provided
7 in subsection (d).

8 (4) Disregard regulations governing direction of
9 movement or turning in specified directions.

10 (c) Audible and visual signals required.--The privileges
11 granted in this section to an emergency vehicle shall apply only
12 when the vehicle is making use of an audible signal and visual
13 signals meeting the requirements and standards set forth in
14 regulations adopted by the department, except that an emergency
15 vehicle operated as a police vehicle need not be equipped with
16 or display the visual signals.

17 (d) Ambulances and blood-delivery vehicles.--The driver of
18 an ambulance or blood-delivery vehicle shall comply with maximum
19 speed limits, red signal indications and stop signs. After
20 ascertaining that the ambulance or blood-delivery vehicle will
21 be given the right-of-way, the driver may proceed through a red
22 signal indication or stop sign.

23 (e) Exercise of care.--This section does not relieve the
24 driver of an emergency vehicle from the duty to drive with due
25 regard for the safety of all persons.

26 § 3106. Operators of streetcars.

27 Every operator of a streetcar upon any roadway shall be
28 granted all of the rights and shall be subject to all of the
29 duties applicable to the driver of a vehicle by this title
30 except those provisions which by their nature can have no

1 application.

2 SUBCHAPTER B

3 TRAFFIC-CONTROL DEVICES

4 Sec.

5 3111. Obedience to traffic-control devices.

6 3112. Traffic-control signals.

7 3113. Pedestrian-control signals.

8 3114. Flashing signals.

9 3115. Lane-direction-control signals.

10 § 3111. Obedience to traffic-control devices.

11 (a) General rule.--Unless otherwise directed by a uniformed
12 police officer or any appropriately attired person authorized to
13 direct, control or regulate traffic, the driver of any vehicle
14 shall obey the instructions of any applicable official traffic-
15 control device placed or held in accordance with the provisions
16 of this title, subject to the privileges granted the driver of
17 an authorized emergency vehicle in this title.

18 (b) Proper position and legibility of device.--No provision
19 of this title for which official traffic-control devices are
20 required shall be enforced against an alleged violator if at the
21 time and place of the alleged violation an official device is
22 not in proper position and sufficiently legible to be seen by an
23 ordinarily observant person. Whenever a particular section does
24 not state that official traffic-control devices are required,
25 the section shall be effective even though no devices are
26 erected or in place.

27 (c) Presumption of authorized placement.--Whenever official
28 traffic-control devices are placed or held in position
29 approximately conforming to the requirements of this title, the
30 devices shall be presumed to have been so placed by the official

1 act or direction of lawful authority, unless the contrary shall
2 be established by competent evidence.

3 (d) Presumption of proper devices.--Any official traffic-
4 control device placed or held pursuant to the provisions of this
5 title and purporting to conform to the lawful requirements
6 pertaining to such devices shall be presumed to comply with the
7 requirements of this title, unless the contrary shall be
8 established by competent evidence.

9 § 3112. Traffic-control signals.

10 (a) General rule.--Whenever traffic is controlled by
11 traffic-control signals exhibiting different colored lights, or
12 colored lighted arrows, successively one at a time or in
13 combination, only the colors green, red and yellow shall be
14 used, except for special pedestrian signals carrying a word
15 legend, and the lights shall indicate and apply to drivers of
16 vehicles and pedestrians as follows:

17 (1) Green indication.--

18 (i) Vehicular traffic facing a circular green signal
19 may proceed straight through or turn right or left unless
20 a sign at such place prohibits either such turn except
21 that vehicular traffic, including vehicles turning right
22 or left, shall yield the right-of-way to other vehicles
23 and to pedestrians lawfully within the intersection or an
24 adjacent crosswalk at the time the signal is exhibited.

25 (ii) Vehicular traffic facing a green arrow signal,
26 shown alone or in combination with another indication,
27 may enter the intersection only to make the movement
28 indicated by the arrow, or such other movement as is
29 permitted by other indications shown at the same time.

30 Such vehicular traffic shall yield the right-of-way to

1 pedestrians lawfully within an adjacent crosswalk and to
2 other traffic lawfully using the intersection.

3 (iii) Unless otherwise directed by a pedestrian-
4 control signal as provided in section 3113 (relating to
5 pedestrian-control signals), pedestrians facing any green
6 signal may proceed across the roadway within a crosswalk.

7 (2) Steady yellow indication.--

8 (i) Vehicular traffic facing a steady yellow signal
9 is thereby warned that the related green indication is
10 being terminated or that a red indication will be
11 exhibited immediately thereafter.

12 (ii) Unless otherwise directed by a pedestrian-
13 control signal as provided in section 3113, pedestrians
14 facing a steady yellow signal are thereby advised that
15 there is insufficient time to cross the roadway before a
16 red indication is shown and no pedestrian shall then
17 start to cross the roadway.

18 (3) Steady red indication.--

19 (i) Vehicular traffic facing a steady red signal
20 alone shall stop at a clearly marked stop line, or if
21 none, before entering the crosswalk on the near side of
22 the intersection, or if none, then before entering the
23 intersection and shall remain standing until an
24 indication to proceed is shown except as provided in
25 subparagraph (ii).

26 (ii) Unless a sign is in place prohibiting a turn,
27 vehicular traffic facing a steady red signal may enter
28 the intersection to turn right, or to turn left from a
29 one-way roadway onto a one-way roadway after stopping as
30 required by subparagraph (i). Such vehicular traffic

1 shall yield the right-of-way to pedestrians lawfully
2 within an adjacent crosswalk and to other traffic
3 lawfully using the intersection.

4 (iii) Unless otherwise directed by a pedestrian-
5 control signal as provided in section 3113, pedestrians
6 facing a steady red signal alone shall not enter the
7 roadway.

8 (b) Places other than intersections.--In the event an
9 official traffic-control signal is erected and maintained at a
10 place other than an intersection, the provisions of this section
11 shall be applicable except as to those provisions which by their
12 nature can have no application. Any stop required shall be made
13 at a sign or marking on the pavement indicating where the stop
14 shall be made, but in the absence of any such sign or marking
15 the stop shall be made at the signal.

16 (c) Inoperable or malfunctioning signal.--If a traffic
17 control signal is out of operation or is not functioning
18 properly, vehicular traffic facing a:

19 (1) Green or yellow signal may proceed with caution as
20 indicated in subsection (a)(1) and (2).

21 (2) Red or completely unlighted signal shall stop in the
22 same manner as at a stop sign, and the right to proceed shall
23 be subject to the rules applicable after making a stop at a
24 stop sign as provided in section 3323 (relating to stop signs
25 and yield signs).

26 § 3113. Pedestrian-control signals.

27 (a) General rule.--Whenever special pedestrian-control
28 signals exhibiting the words "Walk" or "Don't Walk" are in
29 place, the signals shall indicate as follows:

30 (1) "Walk".--Pedestrians facing the signal should

1 proceed across the roadway in the direction of the signal and
2 shall be given the right-of-way by the drivers of all
3 vehicles.

4 (2) "Don't Walk".--Pedestrians should not start to cross
5 the roadway in the direction of the signal, but any
6 pedestrian who has partially completed his crossing on the
7 "Walk" signal should proceed to a sidewalk or safety zone
8 while the "Don't Walk" signal is showing.

9 (3) Flashing "Walk".--Whenever the "Walk" indication is
10 flashing, pedestrians facing the signal are cautioned that
11 there is possible hazard from turning vehicles, but
12 pedestrians may proceed across the roadway in the direction
13 of the signal indication and shall be given the right-of-way
14 by the drivers of all vehicles.

15 (4) Flashing "Don't Walk".--Whenever the "Don't Walk"
16 indication is flashing, pedestrians should not start to cross
17 the roadway in the direction of the indication, but any
18 pedestrian who has partly completed crossing during the
19 "Walk" indication should proceed to a sidewalk or safety
20 zone, and all drivers of vehicles shall yield to the
21 pedestrian.

22 (b) Local regulation.--This section does not prohibit a
23 municipality from establishing a summary offense for violation
24 of subsection (a)(2) or (4).

25 § 3114. Flashing signals.

26 (a) General rule.--Whenever a flashing red or yellow signal
27 is used in a traffic signal or with a traffic sign it shall
28 require obedience by vehicular traffic as follows:

29 (1) Flashing red.--When a red lens is illuminated with
30 rapid intermittent flashes, drivers of vehicles shall stop in

1 the same manner as at a stop sign, and the right to proceed
2 shall be subject to the rules applicable after making a stop
3 at a stop sign as provided in section 3323 (relating to stop
4 signs and yield signs).

5 (2) Flashing yellow.--When a yellow lens is illuminated
6 with rapid intermittent flashes, drivers of vehicles may
7 proceed through the intersection or past such signal only
8 with caution.

9 (b) Railroad grade crossings.--This section does not apply
10 at railroad grade crossings. Conduct of drivers of vehicles
11 approaching railroad grade crossings shall be governed by the
12 rules as set forth in section 3341 (relating to obedience to
13 signal indicating approach of train).

14 § 3115. Lane-direction-control signals.

15 When lane-direction-control signals are placed over the
16 individual lanes of a street or highway, vehicular traffic may
17 travel in any lane over which a green signal is shown, but shall
18 not enter or travel in any lane over which a red signal is
19 shown.

20 CHAPTER 33

21 RULES OF THE ROAD IN GENERAL

22 Subchapter

- 23 A. General Provisions
- 24 B. Right-of-way
- 25 C. Turning, Starting and Signals
- 26 D. Special Stops Required
- 27 E. Stopping, Standing and Parking
- 28 F. Speed Restrictions

29 SUBCHAPTER A

30 GENERAL PROVISIONS

1 Sec.

2 3301. Driving on right side of roadway.

3 3302. Meeting vehicle proceeding in opposite direction.

4 3303. Overtaking vehicle on the left.

5 3304. Overtaking vehicle on the right.

6 3305. Limitations on overtaking on the left.

7 3306. Limitations on driving on left side of roadway.

8 3307. No-passing zones.

9 3308. One-way roadways and rotary traffic islands.

10 3309. Driving on roadways laned for traffic.

11 3310. Following too closely.

12 3311. Driving on divided highways.

13 3312. Limited-access highway entrances and exits.

14 3313. Restrictions on use of limited-access highways.

15 3314. Prohibiting use of hearing impairment devices.

16 § 3301. Driving on right side of roadway.

17 (a) General rule.--Upon all roadways of sufficient width, a
18 vehicle shall be driven upon the right half of the roadway
19 except as follows:

20 (1) When overtaking and passing another vehicle
21 proceeding in the same direction where permitted by the rules
22 governing such movement.

23 (2) When an obstruction exists making it necessary to
24 drive to the left of the center of the roadway, provided the
25 driver yields the right-of-way to all vehicles traveling in
26 the proper direction upon the unobstructed portion of the
27 roadway within such distance as to constitute a hazard.

28 (3) When and where official traffic-control devices are
29 in place designating a lane or lanes to the left side of the
30 center of the roadway for the movement indicated by the

1 devices.

2 (4) Upon a roadway restricted to one-way traffic.

3 (5) When making a left turn as provided in sections 3322
4 (relating to vehicle turning left) and 3331 (relating to
5 required position and method of turning).

6 (b) Vehicle proceeding at less than normal speed.--Upon all
7 roadways any vehicle proceeding at less than the normal speed of
8 traffic at the time and place and under the conditions then
9 existing shall be driven in the right-hand lane then available
10 for traffic, or as close as practicable to the right-hand curb
11 or edge of the roadway, except when overtaking and passing
12 another vehicle proceeding in the same direction or when
13 preparing for a left turn at an intersection or into an alley,
14 private road or driveway. This subsection does not apply to a
15 driver who must necessarily drive in a lane other than the
16 right-hand lane to continue on his intended route.

17 § 3302. Meeting vehicle proceeding in opposite direction.

18 Drivers of vehicles proceeding in opposite directions shall
19 pass each other to the right and, upon roadways having width for
20 not more than one line of traffic in each direction, each driver
21 shall give to the other at least one-half of the main-traveled
22 portion of the roadway as nearly as possible.

23 § 3303. Overtaking vehicle on the left.

24 (a) General rule.--The following rules shall govern the
25 overtaking and passing of vehicles proceeding in the same
26 direction, subject to the limitations, exceptions and special
27 rules stated in this chapter:

28 (1) The driver of a vehicle overtaking another vehicle
29 proceeding in the same direction shall pass to the left of
30 the other vehicle at a safe distance and shall stay to the

1 left of the other vehicle until safely clear of the overtaken
2 vehicle.

3 (2) Except when overtaking and passing on the right is
4 permitted, the driver of an overtaken vehicle shall not
5 increase the speed of the vehicle until completely passed by
6 the overtaking vehicle and shall give way to the right in
7 favor of the overtaking vehicle on suitable signal.

8 (b) Suitable signal defined.--Suitable signal for purposes
9 of subsection (a)(2) shall be as follows:

10 (1) At all times when head lamps are required to be
11 lighted according to section 4302 (relating to the period for
12 requiring lighted lamps), an audible signal or the
13 intermittent flashing of low and high beams except that the
14 use of high beams shall not be permitted when a vehicle is
15 approaching from the opposite direction within 500 feet.

16 (2) At all other times, an audible signal.

17 § 3304. Overtaking vehicle on the right.

18 (a) General rule.--The driver of a vehicle may overtake and
19 pass upon the right of another vehicle only under one of the
20 following conditions:

21 (1) When the vehicle overtaken is making or about to
22 make a left turn, except that such movement shall not be made
23 by driving off the berm or shoulder of the highway.

24 (2) Upon a roadway with unobstructed pavement of
25 sufficient width for two or more lines of vehicles moving
26 lawfully in the direction being traveled by the overtaken
27 vehicle, except that such movement shall not be made by
28 driving off the roadway.

29 (b) Limitation.--No passing movement under this section
30 shall be made unless the movement can be made in safety.

1 § 3305. Limitations on overtaking on the left.

2 No vehicle shall be driven to the left side of the center or
3 marked center line of the roadway in overtaking and passing
4 another vehicle proceeding in the same direction unless the left
5 side is clearly visible and is free of oncoming traffic for a
6 sufficient distance ahead to permit the overtaking and passing
7 to be completely made without interfering with the operation of
8 any vehicle approaching from the opposite direction or any
9 vehicle overtaken. In every event the overtaking vehicle must
10 return to an authorized lane of travel as soon as practicable
11 and, in the event the passing movement involves the use of a
12 lane authorized for vehicles approaching from the opposite
13 direction, before coming within 200 feet of any approaching
14 vehicle.

15 § 3306. Limitations on driving on left side of roadway.

16 (a) General rule.--No vehicle shall be driven on the left
17 side of the roadway under any of the following conditions:

18 (1) When approaching or upon the crest of a grade or a
19 curve in the highway where the driver's view is obstructed
20 within such distance as to create a hazard in the event
21 another vehicle might approach from the opposite direction.

22 (2) When approaching within 100 feet of or traversing
23 any intersection or railroad grade crossing, unless otherwise
24 indicated by official traffic-control devices.

25 (3) When the view is obstructed upon approaching within
26 100 feet of any bridge, viaduct or tunnel.

27 (b) Application of section.--This section does not apply
28 under the conditions described in section 3301(a)(2), (3), (4)
29 and (5) (relating to driving on right side of roadway).

30 § 3307. No-passing zones.

1 (a) Establishment and marking.--The department and local
2 authorities may determine those portions of any highway under
3 their respective jurisdictions where overtaking and passing or
4 driving on the left side of the roadway would be especially
5 hazardous and shall by appropriate signs or markings on the
6 roadway indicate the beginning and end of such zones and when
7 the signs or markings are in place and clearly visible to an
8 ordinarily observant person every driver of a vehicle shall obey
9 the directions of the signs or markings. Signs shall be placed
10 to indicate the beginning and end of each no passing zone.

11 (b) Compliance by drivers.--Where signs and markings are in
12 place to define a no-passing zone as set forth in subsection
13 (a), no driver shall at any time drive on the left side of the
14 roadway within the no-passing zone or on the left side of any
15 pavement striping designed to mark a no-passing zone throughout
16 its length.

17 (c) Application of section.--This section does not apply
18 under the conditions described in section 3301(a)(2) and (5)
19 (relating to driving on right side of roadway).

20 § 3308. One-way roadways and rotary traffic islands.

21 (a) Establishment and marking.--The department and local
22 authorities with respect to highways under their respective
23 jurisdictions may designate any highway, roadway, part of a
24 roadway or specific lanes upon which vehicular traffic shall
25 proceed in one direction at all or such times as shall be
26 indicated by official traffic-control devices.

27 (b) Driving on one-way roadway.--Upon a roadway designated
28 for one-way traffic, a vehicle shall be driven only in the
29 direction designated at all or such times as shall be indicated
30 by official traffic-control devices.

1 (c) Driving around rotary traffic island.--A vehicle passing
2 around a rotary traffic island shall be driven only to the right
3 of the island.

4 § 3309. Driving on roadways laned for traffic.

5 Whenever any roadway has been divided into two or more
6 clearly marked lanes for traffic the following rules in addition
7 to all others not inconsistent therewith shall apply:

8 (1) Driving within single lane.--A vehicle shall be
9 driven as nearly as practicable entirely within a single lane
10 and shall not be moved from the lane until the driver has
11 first ascertained that the movement can be made with safety.

12 (2) Three lane roadways.--Upon a roadway which is
13 divided into three lanes and provides for two-way movement of
14 traffic, a vehicle shall not be driven in the center lane
15 except when overtaking and passing another vehicle traveling
16 in the same direction when the center lane is clear of
17 traffic within a safe distance, or in preparation for making
18 a left turn, or where the center lane is allocated
19 exclusively to traffic moving in the same direction that the
20 vehicle is proceeding and the allocation is designated by
21 official traffic-control devices.

22 (3) Lanes limited to specific use.--Official traffic-
23 control devices may be erected to restrict the use of
24 specified lanes to specified classes or types of traffic or
25 vehicles, including multi-occupant vehicles or car pools, and
26 drivers of vehicles shall obey the directions of every such
27 device.

28 (4) Prohibitions against changing lanes.--Official
29 traffic-control devices may be installed prohibiting the
30 changing of lanes on a section of roadway and drivers of

1 vehicles shall obey the directions of every such device.

2 § 3310. Following too closely.

3 (a) General rule.--The driver of a motor vehicle shall not
4 follow another vehicle more closely than is reasonable and
5 prudent, having due regard for the speed of the vehicles and the
6 traffic upon and the condition of the highway.

7 (b) Combinations of vehicles and trucks.--The driver of any
8 motor vehicle drawing another vehicle or of any truck when
9 traveling upon a roadway outside of an urban district and
10 following a motor vehicle drawing another vehicle or following a
11 truck shall, whenever conditions permit, leave sufficient space
12 so that an overtaking vehicle may enter and occupy the space
13 without danger, except that this subsection does not prevent a
14 motor vehicle drawing another vehicle or prevent a truck from
15 overtaking and passing any vehicle or combination of vehicles.

16 (c) Caravans and motorcades.--Upon any roadway outside of an
17 urban district motor vehicles being driven in a caravan or
18 motorcade, whether or not towing other vehicles, shall be so
19 operated as to allow sufficient space between each vehicle or
20 combination of vehicles so as to enable any other vehicle to
21 enter and occupy space without danger. This subsection does not
22 apply to funeral processions.

23 § 3311. Driving on divided highways.

24 (a) General rule.--Whenever any highway has been divided
25 into two or more roadways by leaving an intervening space,
26 physical barrier or clearly indicated dividing section so
27 constructed as to impede vehicular traffic, every vehicle shall
28 be driven only upon the right-hand roadway unless directed or
29 permitted to use another roadway by official traffic-control
30 devices, police officers or appropriately attired persons

1 authorized to direct, control or regulate traffic. No vehicle
2 shall be driven over, across or within any such dividing space,
3 barrier or section except through an opening in the physical
4 barrier or dividing section or space or at a crossover or
5 intersection as established.

6 (b) Traffic-control devices regulating turns.--Whenever
7 necessary for the protection and safety of traffic, official
8 traffic-control devices may be installed at an opening in the
9 physical barrier or dividing section or space or at a crossover
10 or intersection prohibiting or regulating a turn or turns as may
11 be necessary pursuant to the authority of this title.

12 § 3312. Limited-access highway entrances and exits.

13 No person shall drive a vehicle onto or from any limited-
14 access highway except at such entrances and exits as are
15 established by public authority.

16 § 3313. Restrictions on use of limited-access highways.

17 (a) General rule.--The department may regulate or prohibit
18 the use of any limited-access highway by any class or kind of
19 traffic which is found to be incompatible with the normal and
20 safe movement of traffic.

21 (b) Traffic-control devices at entrances.--The department,
22 when adopting any prohibition under this section, shall erect
23 and maintain official traffic-control devices at the entrances
24 to the limited-access highway on which the prohibitions are
25 applicable and when in place no person shall disobey the
26 restrictions stated on the devices.

27 § 3314. Prohibiting use of hearing impairment devices.

28 (a) General rule.--No driver shall operate a vehicle while
29 wearing or using one or more headphones, earphones or any
30 similar device which the department by regulation determines

1 would impair the ability of the driver to hear traffic sounds.

2 (b) Exception.--This section does not prohibit the use of
3 hearing aids or other devices for improving the hearing of the
4 driver.

5 SUBCHAPTER B

6 RIGHT-OF-WAY

7 Sec.

8 3321. Vehicle approaching or entering intersection.

9 3322. Vehicle turning left.

10 3323. Stop signs and yield signs.

11 3324. Vehicle entering or crossing roadway.

12 3325. Duty of driver on approach of emergency vehicle.

13 3326. Duty of driver in construction and maintenance areas.

14 § 3321. Vehicle approaching or entering intersection.

15 (a) General rule.--When two vehicles approach or enter an
16 intersection from different highways at approximately the same
17 time, the driver of the vehicle on the left shall yield the
18 right-of-way to the vehicle on the right.

19 (b) Exception.--The right-of-way rule declared in subsection
20 (a) is modified at through highways and otherwise as stated in
21 this part.

22 § 3322. Vehicle turning left.

23 The driver of a vehicle intending to turn left within an
24 intersection or into an alley, private road or driveway shall
25 yield the right-of-way to any vehicle approaching from the
26 opposite direction which is so close as to constitute a hazard.

27 § 3323. Stop signs and yield signs.

28 (a) Intersections controlled by signs.--Preferential right-
29 of-way at an intersection may be indicated by stop signs or
30 yield signs as authorized in section 6124 (relating to erection

1 of traffic-control devices at intersections).

2 (b) Duties at stop signs.--Except when directed to proceed
3 by a police officer or appropriately attired persons authorized
4 to direct, control or regulate traffic, every driver of a
5 vehicle approaching a stop sign shall stop at a clearly marked
6 stop line or, if none, before entering a crosswalk on the near
7 side of the intersection or, if none, then at the point nearest
8 the intersecting roadway where the driver has a view of
9 approaching traffic on the intersecting roadway before entering.
10 After having stopped, the driver shall yield the right-of-way to
11 any pedestrian in a crosswalk or to any vehicle in the
12 intersection or approaching on another roadway so closely as to
13 constitute a hazard during the time when the driver is moving
14 across or within the intersection or junction of roadways.

15 (c) Duties at yield signs.--The driver of a vehicle
16 approaching a yield sign shall in obedience to the sign slow
17 down to a speed reasonable for the existing conditions and, if
18 required for safety to stop, shall stop before entering a
19 crosswalk on the near side of the intersection or, if none, then
20 at the point nearest the intersecting roadway where the driver
21 has a view of approaching traffic on the intersecting roadway
22 before entering. After slowing down or stopping, the driver
23 shall yield the right-of-way to any vehicle in the intersection
24 or approaching on another roadway so closely as to constitute a
25 hazard during the time the driver is moving across or within the
26 intersection of roadways. If a driver is involved in a collision
27 with a vehicle in the intersection or junction of roadways after
28 driving past a yield sign, the collision shall be deemed prima
29 facie evidence of failure of the driver to yield the right-of-
30 way.

1 § 3324. Vehicle entering or crossing roadway.

2 The driver of a vehicle about to enter or cross a roadway
3 from any place other than another roadway shall yield the right-
4 of-way to all vehicles approaching on the roadway to be entered
5 or crossed.

6 § 3325. Duty of driver on approach of emergency vehicle.

7 (a) General rule.--Upon the immediate approach of an
8 emergency vehicle making use of an audible signal and visual
9 signals meeting the requirements and standards set forth in
10 regulations adopted by the department, or of a police vehicle
11 properly and lawfully making use of an audible signal only, the
12 driver of every other vehicle shall yield the right-of-way and
13 shall immediately drive to a position parallel to, and as close
14 as possible to, the right-hand edge or curb of the roadway clear
15 of any intersection and shall stop and remain in that position
16 until the emergency vehicle has passed, except when otherwise
17 directed by a police officer. On one-way roadways a driver may
18 comply by driving to the edge or curb which is nearest to the
19 lane in which he is traveling.

20 (b) Duty of operator of streetcar.--Upon the approach of an
21 emergency vehicle, the operator of every streetcar shall
22 immediately stop the streetcar clear of any intersection and
23 remain in that position until the emergency vehicle has passed,
24 except when otherwise directed by a police officer.

25 § 3326. Duty of driver in construction and maintenance areas.

26 (a) Areas indicated by traffic-control devices.--The driver
27 of a vehicle shall yield the right-of-way to any authorized
28 vehicle or pedestrian actually engaged in work upon a highway
29 within any highway or utility construction or maintenance area
30 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 left shall approach the turn in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of the vehicle. Whenever practicable, the left turn shall be made to the left of the center of the intersection and so as to leave the intersection or location in the extreme left-hand lane lawfully available to traffic moving in the same direction as the vehicle on the roadway being entered.

(c) Compliance with traffic-control devices.--The department and local authorities on highways under their respective jurisdictions may cause official traffic-control devices to be placed and thereby require and direct that a different course

1 from that specified in this section be traveled by turning
2 vehicles and when the devices are so placed no driver shall turn
3 a vehicle other than as directed and required by the devices.

4 (d) Two-way left turn lanes.--Where a special lane for
5 making left turns by drivers proceeding in opposite directions
6 has been indicated by official traffic-control devices:

7 (1) A left turn shall not be made from any other lane.

8 (2) A vehicle shall not be driven in the lane except
9 when preparing for or making a left turn from or into the
10 roadway or when preparing for or making a U turn when
11 otherwise permitted by law.

12 § 3332. Limitations on turning around.

13 (a) General rule.--The driver of any vehicle shall not turn
14 the vehicle so as to proceed in the opposite direction unless
15 the movement can be made in safety and without interfering with
16 other traffic.

17 (b) Turns on curves or grades.--No vehicle shall be turned
18 so as to proceed in the opposite direction upon any curve, or
19 upon the approach to or near the crest of a grade, where the
20 vehicle cannot be seen by the driver of any other vehicle
21 approaching from either direction within 500 feet.

22 § 3333. Moving stopped or parked vehicle.

23 No person shall move a vehicle which is stopped, standing or
24 parked unless and until the movement can be made with safety.

25 § 3334. Turning movements and required signals.

26 (a) General rule.--Upon a roadway no person shall turn a
27 vehicle or move from one traffic lane to another or enter the
28 traffic stream from a parked position unless and until the
29 movement can be made with reasonable safety nor without giving
30 an appropriate signal in the manner provided in this section.

(b) Signals on turning and starting.--At speeds of less than 35 miles per hour, an appropriate signal of intention to turn right or left shall be given continuously during not less than the last 100 feet traveled by the vehicle before turning. The signal shall be given during not less than the last 300 feet at speeds in excess of 35 miles per hour. The signal shall also be given prior to entry of the vehicle into the traffic stream from a parked position.

(c) Limitations on use of certain signals.--The signals required on vehicles by section 3335(b) (relating to signals by hand and arm or signal lamps) shall not be flashed on one side only on a disabled vehicle, flashed as a courtesy or "do pass" signal to operators of other vehicles approaching from the rear, nor be flashed on one side only of a parked vehicle except as may be necessary for compliance with this section.

(d) Discontinuing turn signals.--Turn signals shall be discontinued immediately after completing the turn or movement from one traffic lane to another traffic lane.

§ 3335. Signals by hand and arm or signal lamps.

(a) General rule.--Any stop or turn signal shall be given either by means of the hand and arm or by signal lamps, except as otherwise provided in subsection (b).

(b) Required signals by signal lamps.--Any motor vehicle in use on a highway shall be equipped with, and required signal shall be given by, signal lamps when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load of the motor vehicle exceeds 24 inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load exceeds 14 feet. The latter measurement shall apply to any single vehicle and to any

1 combination of vehicles.

2 (c) Exception.--This section does not apply to a motor
3 vehicle registered as an antique or classic vehicle which was
4 not originally equipped with signal lamps.

5 § 3336. Method of giving hand and arm signals.

6 All signals given by hand and arm shall be given from the
7 left side of the vehicle in the following manner and the signals
8 shall indicate as follows:

9 (1) For a left turn, the hand and arm shall be extended
10 horizontally.

11 (2) For a right turn, the hand and arm shall be extended
12 upward.

13 (3) To stop or decrease speed, the hand and arm shall be
14 extended downward.

15 SUBCHAPTER D

16 SPECIAL STOPS REQUIRED

17 Sec.

18 3341. Obedience to signal indicating approach of train.

19 3342. Vehicles required to stop at railroad crossings.

20 3343. Moving heavy equipment at railroad grade crossings.

21 3344. Emerging from alley, driveway or building.

22 3345. Meeting or overtaking school bus.

23 § 3341. Obedience to signal indicating approach of train.

24 (a) General rule.--Whenever any person driving a vehicle
25 approaches a railroad grade crossing under any of the
26 circumstances stated in this section, the driver of the vehicle
27 shall stop within 50 feet but not less than 15 feet from the
28 nearest rail of the railroad and shall not proceed until it can
29 be done safely. The foregoing requirements shall apply upon the
30 occurrence of any of the following circumstances:

1 (1) A clearly visible electric or mechanical signal
2 device gives warning of the immediate approach of a railroad
3 train.

4 (2) A crossing gate is lowered or a flagman gives or
5 continues to give a signal of the approach or passage of a
6 railroad train.

7 (3) A railroad train approaching within approximately
8 1,500 feet of the highway crossing emits a signal audible
9 from that distance and the railroad train, by reason of its
10 speed or nearness to the crossing, is a hazard.

11 (4) An approaching railroad train is plainly visible and
12 is in hazardous proximity to the crossing.

13 (b) Compliance with crossing gate or barrier.--

14 (1) No person shall drive any vehicle through, around or
15 under any crossing gate or barrier at a railroad crossing
16 while the gate or barrier is closed.

17 (2) No person shall start to drive a vehicle through,
18 around or under a gate or barrier at the entrance to a
19 railroad crossing while the gate or barrier is being opened
20 or closed.

21 § 3342. Vehicles required to stop at railroad crossings.

22 (a) General rule.--Except as provided in subsection (b), the
23 driver of any vehicle described in regulations issued pursuant
24 to subsection (c), before crossing at grade any track or tracks
25 of a railroad, shall stop the vehicle within 50 feet but not
26 less than 15 feet from the nearest rail of the railroad and
27 while so stopped shall listen and look in both directions along
28 the track for any approaching train, and for signals indicating
29 the approach of a train, and shall not proceed until it can be
30 done safely. After stopping and upon proceeding when it is safe

1 to do so the driver of the vehicle shall cross only in such gear
2 of the vehicle that there will be no necessity for manually
3 changing gears while traversing the crossing and the driver
4 shall not manually shift gears while crossing the track or
5 tracks.

6 (b) Exceptions.--This section does not apply at any of the
7 following:

8 (1) Any railroad grade crossing at which traffic is
9 controlled by a police officer or flagman.

10 (2) Any railroad grade crossing at which traffic is
11 regulated by a traffic control signal.

12 (3) Any railroad grade crossing protected by crossing
13 gates or an alternately flashing light signal intended to
14 give warning of the approach of a railroad train.

15 (4) Any railroad grade crossing at which an official
16 traffic-control device gives notice that the stopping
17 requirement imposed by this section does not apply.

18 (c) Regulations defining vehicles subject to section.--The
19 department shall adopt such regulations as may be necessary
20 describing the vehicles which must comply with the stopping
21 requirements of this section. In formulating the regulations,
22 the department shall give consideration to the hazardous nature
23 of any substance carried by the vehicle as determined by the
24 Hazardous Substances Transportation Board and to the number of
25 passengers carried by the vehicle in determining whether the
26 vehicle shall be required to stop. These regulations shall be
27 developed in conjunction with the Pennsylvania Public Utility
28 Commission and the Urban Mass Transportation Authority and shall
29 correlate with and so far as possible conform to the current
30 regulations of the United States Department of Transportation.

1 § 3343. Moving heavy equipment at railroad grade crossings.

2 (a) General rule.--No person shall operate or move any
3 crawler-type tractor, power shovel, derrick, roller or any
4 equipment or structure having a normal operating speed of ten or
5 less miles per hour or a vertical body or load clearance of less
6 than one-half inch per foot of the distance between any two
7 adjacent axles or in any event of less than nine inches measured
8 above the level surface of a roadway, upon or across any tracks
9 at a railroad grade crossing without first complying with this
10 section.

11 (b) Notice of intended crossing.--Notice of any intended
12 crossing shall be given to an authorized representative of the
13 railroad and a reasonable time be given to the railroad to
14 provide proper protection at the crossing.

15 (c) Stopping at crossing.--Before making any crossing, the
16 person operating or moving the vehicle or equipment shall first
17 stop the vehicle or equipment not less than 15 feet nor more
18 than 50 feet from the nearest rail of the railroad and while so
19 stopped shall listen and look in both directions along the track
20 for any approaching train and for signals indicating the
21 approach of a train, and shall not proceed until the crossing
22 can be made safely.

23 (d) Movement over crossing.--No crossing shall be made when
24 warning is given by automatic signal or crossing gates or a
25 flagman or otherwise of the immediate approach of a railroad
26 train or car. Movement over a crossing shall be under the
27 direction of any flagman provided by the railroad.

28 § 3344. Emerging from alley, driveway or building.

29 Unless otherwise directed by official traffic-control devices
30 erected in accordance with provisions of Subchapter B of Chapter

1 31 (relating to traffic-control devices), the driver of a
2 vehicle emerging from an alley, building, private road or
3 driveway within an urban district shall stop the vehicle
4 immediately prior to driving onto a sidewalk or onto the
5 sidewalk area extending across the alley, building entrance,
6 private road or driveway or, in the event there is no sidewalk
7 area, shall stop at the point nearest the street to be entered
8 where the driver has a view of approaching traffic.

9 § 3345. Meeting or overtaking school bus.

10 (a) Duty of approaching driver when red signals are
11 flashing.--Except as provided in subsection (g), the driver of a
12 vehicle meeting or overtaking any school bus stopped on the
13 highway shall stop at least ten feet before reaching the school
14 bus when the red signal lights on the school bus are flashing.
15 The driver shall not proceed until the flashing red signal
16 lights are no longer actuated. In no event shall a driver of a
17 vehicle resume motion of the vehicle until the school children
18 who may have alighted from the school bus have reached a place
19 of safety.

20 (b) Duty of approaching driver when amber signals are
21 flashing.--The driver of a vehicle meeting or overtaking any
22 school bus shall proceed past the school bus with caution and
23 shall be prepared to stop when the amber signal lights are
24 flashing.

25 (c) Use of red signals.--The red visual signals shall be
26 actuated by the driver of every school bus whenever the vehicle
27 is stopped on the highway for the purpose of receiving or
28 discharging school children, except as provided in subsections
29 (e) and (f). The signals shall not be terminated until the
30 school children who may have alighted from the school bus have

1 reached a place of safety or until boarding school children have
2 completed boarding the bus.

3 (d) Use of amber signals.--The amber visual signals shall be
4 actuated by the driver of every school bus not more than 300
5 feet nor less than 150 feet prior to making a stop for the
6 purpose of receiving or discharging school children and shall
7 remain in operation until the red visual signals are actuated.
8 Amber signals shall not be used unless the red visual signals
9 are to be actuated immediately following.

10 (e) Limitations on use of signals.--The visual signals
11 required in the regulations shall not be actuated on streets in
12 urban districts designated by the department or local
13 authorities, at intersections or other places where traffic is
14 controlled by uniformed police officers or appropriately attired
15 persons authorized to direct, control or regulate traffic, or in
16 school bus loading areas designated by the department or local
17 authorities when the bus is entirely off the roadway.

18 (f) Operation for nonschool purposes.--When a school bus is
19 being operated upon a highway for purposes other than the actual
20 transportation of school children to or from school or in
21 connection with school activities, all markings indicating
22 "SCHOOL BUS" shall be covered or concealed. During such
23 operation, the flashing visual signals shall not be actuated.

24 (g) Exceptions from stopping requirements.--The driver of a
25 vehicle upon a highway with separate roadways need not stop upon
26 meeting or passing a school bus with actuated red signal lights
27 which is on a different roadway.

28 (h) Loading zones for school children.--Every school
29 district transporting school children by school bus shall
30 establish and maintain school bus loading zones at or near all

1 schools to or from which school children are transported and
2 shall establish school bus loading zones along the highways
3 traversed by school buses in accordance with regulations
4 promulgated by the department.

5 (i) Mandatory use of loading zones.--Whenever school bus
6 loading zones have been established at or near a school or along
7 a highway, it is unlawful for a school bus operator to stop the
8 bus to pick up or discharge school children at any location
9 other than at the loading zones. A list of approved loading
10 zones for the route of the bus shall be carried by the operator.

11 (j) Penalty.--Any person violating subsection (a) is guilty
12 of a summary offense and shall, upon conviction, be sentenced to
13 pay a fine of \$100.

14 SUBCHAPTER E

15 STOPPING, STANDING AND PARKING

16 Sec.

17 3351. Stopping, standing and parking outside business and
18 residence districts.

19 3352. Removal of vehicle by or at direction of police.

20 3353. Prohibitions in specified places.

21 3354. Additional parking regulations.

22 § 3351. Stopping, standing and parking outside business and
23 residence districts.

24 (a) General rule.--Outside a business or residence district,
25 no person shall stop, park or stand any vehicle, whether
26 attended or unattended, upon the roadway when it is practicable
27 to stop, park or stand the vehicle off the roadway. In the event
28 it is necessary to stop, park or stand the vehicle on the
29 roadway or any part of the roadway, an unobstructed width of the
30 highway opposite the vehicle shall be left for the free passage

1 of other vehicles and the vehicle shall be visible from a
2 distance of 500 feet in each direction upon the highway.

3 (b) Exception for disabled vehicles.--This section and
4 sections 3353 (relating to prohibitions in specified places) and
5 3354 (relating to additional parking regulations) do not apply
6 to the driver of any vehicle which is disabled in such a manner
7 and to such an extent that it is impossible to avoid stopping
8 and temporarily leaving the vehicle in that position.

9 § 3352. Removal of vehicle by or at direction of police.

10 (a) Outside business and residence districts.--Whenever any
11 police officer finds a vehicle in violation of any of the
12 provisions of section 3351 (relating to stopping, standing and
13 parking outside business and residence districts), the officer
14 may move the vehicle, or cause the vehicle to be moved, or
15 require the driver or other person in charge of the vehicle to
16 move the vehicle, to a position off the roadway where the
17 vehicle will not interfere unduly with the normal movement of
18 traffic or constitute a safety hazard.

19 (b) Unattended vehicle obstructing traffic.--Any police
20 officer may remove or cause to be removed to a place of safety
21 any unattended vehicle illegally left standing upon any highway,
22 bridge, causeway or in any tunnel, in such position or under
23 such circumstances as to interfere unduly with the normal
24 movement of traffic or constitute a safety hazard.

25 (c) Removal to garage or place of safety.--Any police
26 officer may remove or cause to be removed to a nearby garage or
27 other place of safety any vehicle found upon a highway under any
28 of the following circumstances:

29 (1) Report has been made that the vehicle has been
30 stolen or taken without the consent of its owner.

1 (2) The person or persons in charge of the vehicle are
2 physically unable to provide for the custody or removal of
3 the vehicle.

4 (3) The person driving or in control of the vehicle is
5 arrested for an alleged offense for which the officer is
6 required by law to take the person arrested before an issuing
7 authority without unnecessary delay.

8 (4) The vehicle is in violation of section 3353
9 (relating to prohibitions in specified places) except for
10 overtime parking.

11 (5) The vehicle has been abandoned as defined in this
12 title. The officer shall comply with the provisions of
13 subsection (d) and Chapter 73 (relating to abandoned vehicles
14 and cargos).

15 (d) Notice to owner prior to removal.--

16 (1) Prior to removal of an abandoned vehicle bearing a
17 registration plate by which the last registered owner of the
18 vehicle can be determined, notice shall be sent by certified
19 mail to the last registered owner of the vehicle informing
20 the owner that unless the vehicle is moved to a suitable
21 location within five days of the date notice is mailed, the
22 vehicle will be removed under this section and held at a
23 suitable facility where it may be reclaimed by the owner in
24 accordance with the provisions of section 7306 (relating to
25 payment of costs upon reclaiming vehicle). If the abandoned
26 motor vehicle does not bear an identifiable registration
27 plate, the notice may be secured to the vehicle.

28 (2) If, within the five-day period, the owner so
29 requests, the owner shall be given an opportunity to explain
30 to the police officer or department why the owner believes

1 the vehicle should not be moved. If the police officer or
2 department determines that the vehicle shall, nonetheless, be
3 moved, the owner shall be given an additional 48 hours to
4 move the vehicle or have it moved.

5 (3) The provision for notice set forth in this
6 subsection is in addition to any other notice requirements
7 provided in Chapter 73.

8 § 3353. Prohibitions in specified places.

9 (a) General rule.--Except when necessary to avoid conflict
10 with other traffic or to protect the safety of any person or
11 vehicle or in compliance with law or the directions of a police
12 officer or official traffic-control device, no person shall:

13 (1) Stop, stand or park a vehicle:

14 (i) On the roadway side of any vehicle stopped or
15 parked at the edge or curb of a street except that a
16 pedalcycle may be parked as provided in section
17 3509(b)(2) (relating to parking).

18 (ii) On a sidewalk except that a pedalcycle may be
19 parked as provided in section 3509(b)(2)..

20 (iii) Within an intersection.

21 (iv) On a crosswalk.

22 (v) Between a safety zone and the adjacent curb
23 within 30 feet of points on the curb immediately opposite
24 the ends of a safety zone, unless a different length is
25 indicated by official traffic-control devices.

26 (vi) Alongside or opposite any street excavation or
27 obstruction when stopping, standing or parking would
28 obstruct traffic.

29 (vii) Upon any bridge or other elevated structure
30 upon a highway or within a highway tunnel.

(viii) On any railroad tracks.

(ix) In the area between roadways of a divided highway, including crossovers.

(x) At any place where official signs prohibit stopping.

(2) Stand or park a vehicle:

(i) In front of a public or private driveway.

(ii) Within 15 feet of a fire hydrant.

(iii) Within 20 feet of a crosswalk at an intersection.

(iv) Within 30 feet upon the approach to any flashing signal, stop sign, yield sign or traffic-control signal located at the site of a roadway.

(v) Within 20 feet of the driveway entrance to any fire station or, when properly sign posted, on the side of a street opposite the entrance to any fire station within 75 feet of the entrance.

(vi) Where the vehicle would prevent the free movement of a streetcar.

(vii) On a limited-access highway unless authorized by official traffic-control devices.

(viii) At any place where official signs prohibit standing.

(3) Park a vehicle:

(i) Within 50 feet of the nearest rail of a railroad crossing.

(ii) At any place where official signs prohibit parking.

(b) Unattended vehicle on private property.--No person shall park or leave unattended a vehicle on private property without

1 the consent of the owner or other person in control or
2 possession of the property except in the case of emergency or
3 disablement of the vehicle, in which case the operator shall
4 arrange for the removal of the vehicle as soon as possible.

5 (c) Property owner may remove vehicle.--The owner or other
6 person in charge or possession of any property on which a
7 vehicle is parked or left unattended in violation of the
8 provisions of subsection (b) may remove or have removed the
9 vehicle at the reasonable expense of the owner of the vehicle.

10 (d) Restrictions by appropriate authorities.--The department
11 on State-designated highways and local authorities on any
12 highway within their boundaries may by erection of official
13 traffic-control devices prohibit, limit or restrict stopping,
14 standing or parking of vehicles on any highway where engineering
15 and traffic studies indicate that stopping, standing or parking
16 would constitute a safety hazard or where the stopping, standing
17 or parking of vehicles would unduly interfere with the free
18 movement of traffic.

19 (e) Penalty.--Any person violating any provision of this
20 section is guilty of a summary offense and shall, upon
21 conviction, be sentenced to pay a fine of \$15.

22 § 3354. Additional parking regulations.

23 (a) Two-way highways.--Except as otherwise provided in this
24 section, every vehicle standing or parked upon a two-way highway
25 shall be positioned parallel to and with the right-hand wheels
26 within 12 inches of the right-hand curb or, in the absence of a
27 curb, as close as practicable to the right edge of the right-
28 hand shoulder.

29 (b) One-way highways.--Except as otherwise provided in this
30 section, every vehicle standing or parked upon a one-way highway

1 shall be positioned parallel to the curb or edge of the highway
2 in the direction of authorized traffic movement with its right-
3 hand wheels within 12 inches of the right-hand curb or, in the
4 absence of a curb, as close as practicable to the right edge of
5 the right-hand shoulder, or with its left-hand wheels within 12
6 inches of the left-hand curb or, in the absence of a curb, as
7 close as practicable to the left edge of the left-hand shoulder.

8 (c) Angle parking.--Local authorities may permit angle
9 parking on any highway after an engineering and traffic study
10 has determined that the highway is of sufficient width to permit
11 angle parking without interfering with the free movement of
12 traffic, except that on a State-designated highway prior
13 approval of the department shall also be obtained.

14 (d) Handicapped persons and disabled veterans.--

15 (1) When a motor vehicle bearing registration plates
16 issued to handicapped persons or disabled veterans as
17 prescribed in this title is being operated by or for the
18 transportation of the handicapped person or disabled veteran,
19 the driver shall be relieved of any liability for parking for
20 a period of 60 minutes in excess of the legal parking period
21 permitted by local authorities except where local ordinances
22 or police regulations provide for the accommodation of heavy
23 traffic during morning, afternoon or evening hours.

24 (2) At the request of any handicapped person or disabled
25 veteran, local authorities may erect on the highway as close
26 as possible to their place of residence a sign or signs
27 indicating that that place is reserved for a handicapped
28 person or disabled veteran, that no parking is allowed there
29 by others, and that any unauthorized person parking there
30 shall be subject to a fine.

(e) Penalty.--Any person violating subsection (a), (b) or (d) is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$15.

SUBCHAPTER F

SPEED RESTRICTIONS

Sec.

3361. Driving vehicle at safe speed.

3362. Maximum speed limits.

3363. Alteration of maximum limits.

3364. Minimum speed regulation.

3365. Special speed limitations.

3366. Charging speed violations.

3367. Racing on highways.

3368. Speed timing devices.

§ 3361. Driving vehicle at safe speed.

No person shall drive a vehicle at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing, nor at a speed greater than will permit the driver to bring his vehicle to a stop within the assured clear distance ahead. Consistent with the foregoing, every person shall drive at a safe and appropriate speed when approaching and crossing an intersection or railroad grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or highway conditions.

§ 3362. Maximum speed limits.

(a) General rule.--Except when a special hazard exists that requires lower speed for compliance with section 3361 (relating

1 to driving vehicle at safe speed), the limits specified in this
2 subsection or established under this subchapter shall be maximum
3 lawful speeds and no person shall drive a vehicle at a speed in
4 excess of the following maximum limits:

5 (1) 35 miles per hour in any urban district.

6 (2) 55 miles per hour in other locations.

7 (3) Any other maximum speed limit established under this
8 subchapter.

9 (b) Posting of speed limit.--No maximum speed limit
10 established under subsection (a)(1) or (3) shall be effective
11 unless posted on fixed or variable official traffic-control
12 devices erected in accordance with regulations adopted by the
13 department which regulations shall require posting at the
14 beginning and end of each speed zone and at intervals not
15 greater than 1/2 mile.

16 (c) Penalty.--Any person violating this section is guilty of
17 a summary offense and shall, upon conviction, be sentenced to
18 pay a fine of \$35. Any person exceeding the maximum speed limit
19 by more than five miles per hour shall pay an additional fine of
20 \$2 per mile for each mile in excess of five miles per hour over
21 the maximum speed limit.

22 § 3363. Alteration of maximum limits.

23 The department or local authorities on highways under their
24 respective jurisdictions, upon the basis of an engineering and
25 traffic investigation, may determine that the maximum speed
26 permitted under this subchapter is greater or less than is
27 reasonable and safe under the conditions found to exist upon any
28 such highway or part thereof and establish a reasonable and safe
29 maximum limit. The maximum speed limit may be made effective at
30 all times or at times indicated and may vary for different

1 weather conditions and other factors bearing on safe speeds. No
2 maximum speed greater than 55 miles per hour shall be
3 established under this section.

4 § 3364. Minimum speed regulation.

5 (a) Impeding movement of traffic prohibited.--Except when
6 reduced speed is necessary for safe operation or in compliance
7 with law, no person shall drive a motor vehicle at such a slow
8 speed as to impede the normal and reasonable movement of
9 traffic.

10 (b) Slow moving vehicle to drive off roadway.--Except when
11 reduced speed is necessary for safe operation or in compliance
12 with law, whenever any person drives a vehicle upon a roadway
13 having width for not more than one lane of traffic in each
14 direction at less than the maximum posted speed and at such a
15 slow speed as to impede the normal and reasonable movement of
16 traffic, the driver shall, at the first opportunity when and
17 where it is reasonable and safe to do so and after giving
18 appropriate signal, drive completely off the roadway and onto
19 the berm or shoulder of the highway. The driver may return to
20 the roadway after giving appropriate signal only when the
21 movement can be made in safety and so as not to impede the
22 normal and reasonable movement of traffic.

23 (c) Establishment of minimum speed limits.--At any other
24 time when the department or local authorities under their
25 respective jurisdictions determine on the basis of an
26 engineering and traffic investigation that slow speeds on any
27 highway or part of a highway impede the normal and reasonable
28 movement of traffic, the department or such local authority may
29 determine and declare a minimum speed limit below which no
30 person shall drive a vehicle except when necessary for safe

operation or in compliance with law. The minimum limit shall be effective when posted upon appropriate fixed or variable signs.

§ 3365. Special speed limitations.

(a) Bridges and elevated structures.--

(1) No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which is greater than the maximum speed which can be maintained with safety to the bridge or structure when the structure is posted with signs as provided in this subsection.

(2) The department and local authorities on highways under their respective jurisdictions may conduct a traffic and engineering investigation of any bridge or other elevated structure constituting a part of a highway, and if it shall thereupon find that the structure cannot safely withstand vehicles traveling at the speed otherwise permissible under this title, the department or local authority shall determine and declare the maximum speed of vehicles which the structure can safely withstand, and shall cause or permit official traffic-control devices stating the maximum speed to be erected and maintained before each end of the structure.

(3) Upon the trial of any person charged with a violation of this subsection, proof of the determination of the maximum speed by the department and the existence of the signs shall constitute conclusive evidence of the maximum speed which can be maintained with safety to the bridge or structure.

(b) School zones.--When passing a school zone as defined and established under regulations of the department, no person shall drive a vehicle at a speed greater than that established for the

1 particular school zone. An official traffic-control device shall
2 indicate the beginning and end of each school zone to traffic
3 approaching in each direction. Establishment of a school zone,
4 including its location, hours of operation and speed limit,
5 shall be approved by the department.

6 (c) Hazardous grades.--The department and local authorities
7 on highways under their respective jurisdictions may conduct
8 traffic and engineering investigations on grades which are
9 considered hazardous. If the grade is determined to be
10 hazardous, vehicles having a gross weight in excess of a
11 determined safe weight may be further limited as to maximum
12 speed and may be required to stop before proceeding downhill.
13 The restrictions shall be indicated by official traffic-control
14 devices erected and maintained according to regulations
15 established by the department.

16 (d) Penalty.--Any person violating any provision of this
17 section is guilty of a summary offense and shall, upon
18 conviction, be sentenced to pay a fine of \$35. Any person
19 exceeding a maximum speed limit established under this section
20 by more than five miles per hour shall pay an additional fine of
21 \$2 per mile for each mile in excess of five miles per hour in
22 excess of the maximum speed limit.

23 § 3366. Charging speed violations.

24 In every charge of violation of a speed provision in this
25 subchapter, except for a violation of section 3361 (relating to
26 driving vehicle at safe speed), the citation or complaint shall
27 specify the speed at which the defendant is alleged to have
28 driven and the applicable speed limit.

29 § 3367. Racing on highways.

30 (a) Definitions.--As used in this section the following

1 words and phrases shall have the meanings given to them in this
2 subsection:

3 "Drag race." The operation of two or more vehicles from a
4 point side by side at accelerating speeds in a competitive
5 attempt to outdistance each other, or the operation of one or
6 more vehicles over a common selected course, from the same point
7 to the same point, for the purpose of comparing the relative
8 speeds or power of acceleration of the vehicle or vehicles
9 within a certain distance or time limit.

10 "Race." The use of one or more vehicles in an attempt to
11 outgain, outdistance or prevent another vehicle from passing, to
12 arrive at a given destination ahead of another vehicle or
13 vehicles, or to test the physical stamina or endurance of
14 drivers over long distance driving routes.

15 (b) General rule.--No person shall drive a vehicle on a
16 highway in any race, speed competition or contest, drag race or
17 acceleration contest, test of physical endurance, exhibition of
18 speed or acceleration, or for the purpose of making a speed
19 record, and no person shall in any manner participate in any
20 such race, competition, contest, test or exhibition.

21 (c) Permits for special activities.--The department or local
22 authorities within their jurisdiction may issue permits for
23 special activities which would otherwise be prohibited by this
24 section.

25 (d) Penalty.--Any person violating this section is guilty of
26 a summary offense and shall, upon conviction, be sentenced to
27 pay a fine of \$200.

28 § 3368. Speed timing devices.

29 (a) Speedometers authorized.--The rate of speed of any
30 vehicle may be timed on any highway by a police officer using a

1 motor vehicle equipped with a speedometer. In ascertaining the
2 speed of a vehicle by the use of a speedometer, the speed shall
3 be timed for a distance of not less than three-tenths of a mile.

4 (b) Testing of speedometers.--The department may appoint
5 stations for testing speedometers and may prescribe regulations
6 as to the manner in which the test shall be made. Speedometers
7 shall have been tested for accuracy within a period of 60 days
8 prior to the alleged violation. A certificate from the station
9 showing that the test was made, the date of the test and the
10 degree of accuracy of the speedometer shall be competent and
11 prima facie evidence of those facts in every proceeding in which
12 a violation of this title is charged.

13 (c) Mechanical, electrical and electronic devices
14 authorized.--

15 (1) The rate of speed of any vehicle may be timed on any
16 highway by a police officer using a mechanical or electrical
17 speed timing device.

18 (2) Electronic devices such as radio-microwave devices
19 (commonly referred to as electronic speed meters or radar)
20 may be used only by members of the Pennsylvania State Police.
21 No person may be convicted upon evidence obtained through the
22 use of such devices unless the speed recorded is six or more
23 miles per hour in excess of the legal speed limit.

24 (d) Approval and testing of mechanical, electrical and
25 electronic devices.--All mechanical, electrical or electronic
26 devices shall be of a type approved by the department, which
27 shall appoint stations for calibrating and testing the devices
28 and may prescribe regulations as to the manner in which
29 calibrations and tests shall be made. The devices shall have
30 been tested for accuracy within a period of 60 days prior to the

1 alleged violation. A certificate from the station showing that
2 the calibration and test were made within the required period,
3 and that the device was accurate, shall be competent and prima
4 facie evidence of those facts in every proceeding in which a
5 violation of this title is charged.

6 CHAPTER 35

7 SPECIAL VEHICLES AND PEDESTRIANS

8 Subchapter

9 A. Operation of Pedalcycles

10 B. Special Rules for Motorcycles

11 C. Rights and Duties of Pedestrians

12 SUBCHAPTER A

13 OPERATION OF PEDALCYCLES

14 Sec.

15 3501. Applicability of traffic laws to pedalcycles.

16 3502. Penalty for violation of subchapter.

17 3503. Responsibility of parent or guardian.

18 3504. Riding on pedalcycles.

19 3505. Riding on roadways and pedalcycle paths.

20 3506. Articles carried by operator.

21 3507. Lamps and other equipment on pedalcycles.

22 3508. Pedalcycles on sidewalks and pedalcycle paths.

23 3509. Parking.

24 § 3501. Applicability of traffic laws to pedalcycles.

25 (a) General rule.--Every person riding a pedalcycle upon a
26 roadway shall be granted all of the rights and shall be subject
27 to all of the duties applicable to the driver of a vehicle by
28 this title, except as to special provisions in this subchapter
29 and except as to those provisions of this title which by their
30 nature can have no application.

1 (b) Application of subchapter.--The provisions of this
2 subchapter apply whenever a pedalcycle is operated upon any
3 highway or upon any path set aside for the exclusive use of
4 pedalcycles subject to the exceptions stated in subsection (a).

5 § 3502. Penalty for violation of subchapter.

6 Any person violating any provision of this subchapter is
7 guilty of a summary offense and shall, upon conviction, be
8 sentenced to pay a fine of \$10.

9 § 3503. Responsibility of parent or guardian.

10 The parent of any child and the guardian of any ward shall
11 not authorize or knowingly permit the child or ward to violate
12 any of the provisions of this title relating to the operation of
13 pedalcycles.

14 § 3504. Riding on pedalcycles.

15 (a) Use of seat by operator.--A person propelling a
16 pedalcycle shall not ride other than upon or astride a permanent
17 and regular seat attached to the pedalcycle.

18 (b) Number of riders.--No pedalcycle shall be used to carry
19 more persons at one time than the number for which the
20 pedalcycle is designed and equipped except that an adult rider
21 may carry a child securely attached to the rider in a back pack
22 or sling.

23 § 3505. Riding on roadways and pedalcycle paths.

24 (a) General rule.--Except as provided in subsection (b),
25 every person operating a pedalcycle upon a roadway shall ride as
26 near to the right side of the roadway as practicable, exercising
27 due care when passing a standing vehicle or one proceeding in
28 the same direction.

29 (b) One-way highways.--Any person operating a pedalcycle
30 upon a roadway of a highway, which highway carries traffic in

1 one direction only and has two or more marked traffic lanes, may
2 ride as near the left-hand curb or edge of the roadway as
3 practicable, exercising due care when passing a standing vehicle
4 or one proceeding in the same direction.

5 (c) Limitation on riding abreast.--Persons riding
6 pedalcycles upon a roadway shall not ride more than two abreast
7 except on paths or parts of roadways set aside for the exclusive
8 use of pedalcycles.

9 (d) Use of available pedalcycle paths.--Whenever a lane or
10 path for pedalcycles has been provided as part of a highway,
11 pedalcycle riders shall use the lane or path and shall not use
12 any other part of the highway. This subsection does not apply
13 when use of the pedalcycle lane or path is not possible, safe or
14 reasonable.

15 § 3506. Articles carried by operator.

16 No person operating a pedalcycle shall carry any package,
17 bundle or article which prevents the driver from keeping at
18 least one hand upon the handlebars.

19 § 3507. Lamps and other equipment on pedalcycles.

20 (a) Lamps and reflectors.--Every pedalcycle when in use
21 between sunset and sunrise shall be equipped on the front with a
22 lamp which emits a white light visible from a distance of at
23 least 500 feet to the front and with a red reflector on the rear
24 of a type approved by the department which shall be visible from
25 all distances from 100 feet to 600 feet to the rear and with an
26 amber reflector on each side. A lamp emitting a red light
27 visible from a distance of 500 feet to the rear may be used in
28 addition to the red reflector. A lamp worn by the operator of a
29 pedalcycle shall comply with the requirements of this subsection
30 if the lamp can be seen at the distances specified. All lamps

1 and reflectors shall be of a type approved by the department.

2 (b) Audible signal devices.--A pedalcycle may be equipped
3 with a device capable of giving a signal audible for a distance
4 of at least 100 feet except that a pedalcycle shall not be
5 equipped with nor shall any person use upon a pedalcycle any
6 siren.

7 (c) Brakes.--Every pedalcycle shall be equipped with a
8 braking system which will stop the pedalcycle in 15 feet from an
9 initial speed of 15 miles per hour on a dry, level and clean
10 pavement.

11 § 3508. Pedalcycles on sidewalks and pedalcycle paths.

12 (a) Right-of-way to pedestrians.--A person riding a
13 pedalcycle upon a sidewalk or pedalcycle path used by
14 pedestrians shall yield the right-of-way to any pedestrian and
15 shall give an audible signal before overtaking and passing a
16 pedestrian.

17 (b) Business districts.--A person shall not ride a
18 pedalcycle upon a sidewalk in a business district unless
19 permitted by official traffic-control devices, nor when a usable
20 pedalcycle-only lane has been provided adjacent to the sidewalk.

21 § 3509. Parking.

22 (a) Sidewalks.--

23 (1) A person may park a pedalcycle on a sidewalk unless
24 prohibited or restricted by an official traffic-control
25 device.

26 (2) A pedalcycle parked on a sidewalk shall not impede
27 the normal and reasonable movement of pedestrian or other
28 traffic.

29 (b) Roadways.--

30 (1) A pedalcycle may be parked on the roadway at any

1 angle to the curb or edge of the roadway at any location
2 where parking is allowed.

3 (2) A pedalcycle may be parked on the roadway abreast of
4 another pedalcycle or pedalcycles near the side of the
5 roadway at any location where parking is allowed.

6 (3) A person shall not park a pedalcycle on a roadway in
7 such a manner as to obstruct the movement of a legally parked
8 motor vehicle.

9 (4) In all other respects, pedalcycles parked anywhere
10 on a highway shall conform with the provisions of Subchapter
11 E of Chapter 33 (relating to stopping, standing and parking).

12 SUBCHAPTER B

13 SPECIAL RULES FOR MOTORCYCLES

14 Sec.

15 3521. Applicability of traffic laws to motorcycles.

16 3522. Riding on motorcycles.

17 3523. Operating motorcycles on roadways laned for traffic.

18 3524. Footrests and handlebars.

19 3525. Protective equipment for motorcycle riders.

20 § 3521. Applicability of traffic laws to motorcycles.

21 Every person operating a motorcycle shall be granted all of
22 the rights and shall be subject to all of the duties applicable
23 to the driver of any other vehicle under this title, except as
24 to special provisions in this subchapter and except as to those
25 provisions of this title which by their nature can have no
26 application.

27 § 3522. Riding on motorcycles.

28 (a) Use of seat by operator and passengers.--A person
29 operating a motorcycle shall ride only upon the permanent and
30 regular seat attached to the motorcycle, and the operator shall

1 not carry any other person nor shall any other person ride on a
2 motorcycle unless the motorcycle is designed to carry more than
3 one person, in which event a passenger may ride upon the
4 permanent and regular seat if designed for two persons, or upon
5 another seat firmly attached to the motorcycle at the rear or
6 side of the operator. In no event shall a passenger sit in front
7 of the operator of the motorcycle.

8 (b) Method of seating.--Unless in a sidecar, a person shall
9 ride upon a motorcycle only while sitting astride the seat,
10 facing forward, with one leg on each side of the motorcycle.

11 (c) Articles carried by operator.--No person shall operate a
12 motorcycle while carrying any package, bundle or other article
13 which prevents him from keeping both hands on the handlebars.

14 (d) Interference with operation.--No operator shall carry
15 any person, nor shall any person ride, in a position that will
16 interfere with the operation or control of the motorcycle or the
17 view of the operator.

18 § 3523. Operating motorcycles on roadways laned for traffic.

19 (a) Right to use of lane.--All motorcycles are entitled to
20 full use of a lane and no motor vehicle shall be driven in such
21 a manner as to deprive any motorcycle of the full use of a lane.

22 (b) Overtaking and passing.--The operator of a motorcycle
23 shall not overtake and pass in the same lane occupied by the
24 vehicle being overtaken.

25 (c) Operation between lanes or vehicles.--No person shall
26 operate a motorcycle between lanes of traffic or between
27 adjacent lines or rows of vehicles.

28 (d) Limitation on operating abreast.--Motorcycles shall not
29 be operated more than two abreast in a single lane.

30 (e) Limited access highways.--No motorized pedalcycle shall

1 be operated on any limited access highway.

2 (f) Exception for police officers.--Subsections (b) and (c)
3 do not apply to police officers in the performance of their
4 official duties.

5 § 3524. Footrests and handlebars.

6 (a) Passengers.--Any motorcycle carrying a passenger, other
7 than in a sidecar or enclosed cab, shall be equipped with
8 footrests and handhold for the passenger.

9 (b) Height of handlebars.--No person shall operate any
10 motorcycle with handlebars above shoulder-height of the operator
11 while properly seated upon the motorcycle.

12 § 3525. Protective equipment for motorcycle riders.

13 (a) Protective headgear.--No person shall operate or ride
14 upon a motorcycle or a motor-driven cycle (other than a
15 motorized pedalcycle) unless he is wearing protective headgear
16 which complies with standards established by the department.

17 (b) Eye-protective devices.--No person shall operate or ride
18 upon a motorcycle unless he is wearing an eye-protective device
19 of a type approved by the department.

20 (c) Approval of equipment.--The department may approve or
21 disapprove protective headgear and eye-protective devices
22 required under this section and may issue and enforce
23 regulations establishing standards and specifications for the
24 approval of the headgear and devices. The department shall
25 publish lists of all protective headgear and eye-protective
26 devices by name and type which have been approved.

27 SUBCHAPTER C

28 RIGHTS AND DUTIES OF PEDESTRIANS

29 Sec.

30 3541. Obedience of pedestrians to traffic-control devices and

1 regulations.

2 3542. Right-of-way of pedestrians in crosswalks.

3 3543. Pedestrians crossing at other than crosswalks.

4 3544. Pedestrians walking along or on highway.

5 3545. Pedestrians soliciting rides or business.

6 3546. Driving through or around safety zone.

7 3547. Right-of-way of pedestrians on sidewalks.

8 3548. Pedestrians to yield to authorized emergency vehicles.

9 3549. Blind pedestrians.

10 3550. Pedestrians under influence of alcohol or controlled

11 substance.

12 3551. Compliance with bridge and railroad warning signals.

13 3552. Penalty for violation of subchapter.

14 § 3541. Obedience of pedestrians to traffic-control devices and

15 regulations.

16 (a) Traffic-control devices.--A pedestrian shall obey the

17 instructions of a police officer or other appropriately attired

18 person authorized to direct, control or regulate traffic.

19 (b) Traffic and pedestrian-control signals.--Local

20 authorities by ordinance may require pedestrians to obey traffic

21 and pedestrian-control signals as provided in sections 3112

22 (relating to traffic-control signals) and 3113 (relating to

23 pedestrian-control signals).

24 § 3542. Right-of-way of pedestrians in crosswalks.

25 (a) General rule.--When traffic-control signals are not in

26 place or not in operation, the driver of a vehicle shall yield

27 the right-of-way to a pedestrian crossing the roadway within any

28 marked crosswalk or within any unmarked crosswalk at an

29 intersection.

30 (b) Exercise of care by pedestrian.--No pedestrian shall

1 suddenly leave a curb or other place of safety and walk or run
2 into the path of a vehicle which is so close as to constitute a
3 hazard.

4 (c) Limitation on vehicles passing.--Whenever any vehicle is
5 stopped at any crosswalk at an intersection or at any marked
6 crosswalk to permit a pedestrian to cross the roadway, the
7 driver of any other vehicle approaching from the rear shall not
8 overtake and pass the stopped vehicle.

9 (d) Application of section.--Subsection (a) does not apply
10 under the conditions stated in section 3543(b) (relating to
11 pedestrians crossing at other than crosswalks).

12 § 3543. Pedestrians crossing at other than crosswalks.

13 (a) General rule.--Every pedestrian crossing a roadway at
14 any point other than within a crosswalk at an intersection or
15 any marked crosswalk shall yield the right-of-way to all
16 vehicles upon the roadway.

17 (b) At pedestrian tunnel or overhead crossing.--Any
18 pedestrian crossing a roadway at a point where a pedestrian
19 tunnel or overhead pedestrian crossing has been provided shall
20 yield the right-of-way to all vehicles upon the roadway.

21 (c) Between controlled intersections in urban district.--
22 Between adjacent intersections in urban districts at which
23 traffic-control signals are in operation pedestrians shall not
24 cross at any place except in a marked crosswalk.

25 (d) Crossing intersection diagonally.--No pedestrian shall
26 cross a roadway intersection diagonally unless authorized by
27 official traffic-control devices or at the direction of a police
28 officer or other appropriately attired person authorized to
29 direct, control or regulate traffic. When authorized to cross
30 diagonally, pedestrians shall cross only in accordance with the

1 signal pertaining to the crossing movements.

2 § 3544. Pedestrians walking along or on highway.

3 (a) Mandatory use of available sidewalk.--Where a sidewalk
4 is provided and its use is practicable, it is unlawful for any
5 pedestrian to walk along and upon an adjacent roadway.

6 (b) Absence of sidewalk.--Where a sidewalk is not available,
7 any pedestrian walking along and upon a highway shall walk only
8 on a shoulder as far as practicable from the edge of the
9 roadway.

10 (c) Absence of sidewalk and shoulder.--Where neither a
11 sidewalk nor a shoulder is available, any pedestrian walking
12 along and upon a highway shall walk as near as practicable to an
13 outside edge of the roadway and, if on a two-way roadway, shall
14 walk only on the left side of the roadway.

15 (d) Right-of-way to vehicles.--Except as otherwise provided
16 in this subchapter, any pedestrian upon a roadway shall yield
17 the right-of-way to all vehicles upon the roadway.

18 § 3545. Pedestrians soliciting rides or business.

19 No person shall:

20 (1) Stand on a roadway for the purpose of soliciting a
21 ride.

22 (2) Stand on a roadway for the purpose of soliciting
23 employment, business or contributions from the occupant of
24 any vehicle.

25 (3) Stand on or in proximity to a highway for the
26 purpose of soliciting the watching or guarding of any vehicle
27 while parked or about to be parked on a street or highway.

28 § 3546. Driving through or around safety zone.

29 (a) Through zones.--No vehicle shall at any time be driven
30 through or within a safety zone.

1 (b) Around zones.--Traffic may move on either side of a
2 safety zone unless prohibited from driving to the left of the
3 zone by the installation of an official traffic-control device
4 as provided in this title.

5 § 3547. Right-of-way of pedestrians on sidewalks.

6 The driver of a vehicle emerging from or entering an alley,
7 building, private road or driveway shall yield the right-of-way
8 to any pedestrian approaching on any sidewalk extending across
9 the alley, building entrance, road or driveway.

10 § 3548. Pedestrians to yield to authorized emergency vehicles.

11 (a) General rule.--Upon the immediate approach of an
12 authorized emergency vehicle making use of audible and visual
13 signals meeting the requirements of this title, or of a police
14 vehicle properly and lawfully making use of an audible signal
15 only, every pedestrian shall yield the right-of-way to the
16 authorized emergency vehicle.

17 (b) Exercise of care by driver.--This section does not
18 relieve the driver of an authorized emergency vehicle from the
19 duty to drive with due regard for the safety of all persons
20 using the highway nor from the duty to exercise due care to
21 avoid colliding with any pedestrian.

22 § 3549. Blind pedestrians.

23 (a) General rule.--The driver of a vehicle shall yield the
24 right-of-way to any totally or partially blind pedestrian
25 carrying a clearly visible white cane or accompanied by a guide
26 dog and shall take such precautions as may be necessary to avoid
27 injuring or endangering the pedestrian and, if necessary, shall
28 stop the vehicle in order to prevent injury or danger to the
29 pedestrian.

30 (b) Effect of absence of cane or dog.--This section shall

1 not be construed to deprive a totally or partially blind
2 pedestrian not carrying a cane or not being guided by a dog of
3 the rights and privileges conferred by law upon pedestrians
4 crossing streets or highways, nor shall the failure of a totally
5 or partially blind pedestrian to carry a cane or to be guided by
6 a guide dog upon the streets, highways or sidewalks of this
7 Commonwealth be held to constitute contributory negligence in
8 and of itself.

9 § 3550. Pedestrians under influence of alcohol or controlled
10 substance.

11 A pedestrian who is under the influence of alcohol or any
12 controlled substance to a degree which renders the pedestrian a
13 hazard shall not walk or be upon a highway except on a sidewalk.

14 § 3551. Compliance with bridge and railroad warning signals.

15 (a) Bridges.--No pedestrian shall enter or remain upon any
16 bridge or approach to any bridge beyond the bridge signal, gate
17 or barrier after a bridge operation signal indication has been
18 given.

19 (b) Railroad crossings.--No pedestrian shall pass through,
20 around, over or under any crossing gate or barrier at a railroad
21 grade crossing or bridge while the gate or barrier is closed or
22 is being opened or closed.

23 § 3552. Penalty for violation of subchapter.

24 Any pedestrian violating any provision of this subchapter is
25 guilty of a summary offense and shall, upon conviction, be
26 sentenced to pay a fine of \$5.

27 CHAPTER 37

28 MISCELLANEOUS PROVISIONS

29 Subchapter

30 A. Offenses in General

1 B. Serious Traffic Offenses

2 C. Accidents and Accident Reports

3 SUBCHAPTER A

4 OFFENSES IN GENERAL

5 Sec.

6 3701. Unattended motor vehicle.

7 3702. Limitations on backing.

8 3703. Driving upon sidewalk.

9 3704. Obstruction to driving view or mechanism.

10 3705. Opening and closing vehicle doors.

11 3706. Riding in house trailers, mobile homes or boats on
12 trailers.

13 3707. Driving or stopping close to fire apparatus.

14 3708. Unauthorized driving over fire hose.

15 3709. Depositing waste and other material on highway.

16 3710. Stopping at intersection or crossing to prevent
17 obstruction.

18 3711. Unauthorized persons and devices hanging on
19 vehicles.

20 3712. Abandonment and stripping of vehicles.

21 3713. Railroad trains not to block crossings.

22 3714. Reckless driving.

23 § 3701. Unattended motor vehicle.

24 (a) General rule.--No person driving or in charge of a motor
25 vehicle shall permit the vehicle to stand unattended without
26 placing the gear shift lever in a position which under the
27 circumstances impedes the movement of the vehicle, stopping the
28 engine, locking the ignition in vehicles so equipped, removing
29 the key from the ignition and, when standing upon any grade,
30 turning the front wheels to the curb or side of the highway and

1 effectively setting the brake.

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 \$5.

5 § 3702. Limitations on backing.

6 (a) General rule.--No driver shall back a vehicle unless the
7 movement can be made with safety and without interfering with
8 other traffic and then only after yielding the right-of-way to
9 moving traffic and pedestrians.

10 (b) Limited-access highways.--No driver shall back a vehicle
11 upon any shoulder or roadway of any limited-access highway.

12 § 3703. Driving upon sidewalk.

13 No person shall drive any vehicle except a human-powered
14 vehicle upon a sidewalk or sidewalk area except upon a permanent
15 or duly authorized temporary driveway.

16 § 3704. Obstruction to driving view or mechanism.

17 No person shall drive a vehicle when it is so loaded, or when
18 there are in the front seat such a number of persons, exceeding
19 three, as to obstruct the view of the driver to the front or
20 sides of the vehicle or as to interfere with the driver's
21 control over the driving mechanism of the vehicle or whenever
22 any person in the front seat is not seated.

23 § 3705. Opening and closing vehicle doors.

24 No person shall open any door on a motor vehicle unless and
25 until it is reasonably safe to do so and can be done without
26 interfering with the movement of other traffic, nor shall any
27 person leave a door open on a side of a vehicle available to
28 moving traffic for a period of time longer than necessary to
29 load or unload passengers.

30 § 3706. Riding in house trailers, mobile homes or boats on

1 trailers.

2 (a) General rule.--No person or persons shall occupy a house
3 trailer, mobile home or boat on a trailer while it is being
4 moved upon a highway.

5 (b) Towing prohibited.--No person shall tow on a highway a
6 house trailer, mobile home or boat on a trailer occupied by a
7 passenger or passengers.

8 (c) Exception for certain semi-trailers.--A semi-trailer
9 which is attached to a truck in an articulating manner by means
10 of a fifth wheel semi-trailer coupling device attached to the
11 carrying compartment of the truck may be occupied by a passenger
12 or passengers. The coupling device shall have a two-inch or
13 larger kingpin. All windows shall have safety glass. Some means
14 of electrical or electronic communications approved by the
15 department is required between the cab of the truck and the
16 semi-trailer.

17 § 3707. Driving or stopping close to fire apparatus.

18 The driver of any vehicle other than one on official business
19 shall not follow any fire apparatus traveling in response to a
20 fire alarm closer than 500 feet or stop the vehicle within 500
21 feet of any fire apparatus stopped in answer to a fire alarm.

22 § 3708. Unauthorized driving over fire hose.

23 No vehicle shall be driven over any unprotected hose of a
24 fire department when laid down on any highway, private road or
25 driveway, for use at any fire or alarm of fire, without the
26 consent of a fire department officer, a police officer or other
27 appropriately attired person authorized to direct, control or
28 regulate traffic at the scene.

29 § 3709. Depositing waste and other material on highway.

30 (a) General rule.--No person shall throw or deposit upon any

1 highway any waste paper, sweepings, ashes, household waste,
2 glass, metal, refuse or rubbish, or any dangerous or detrimental
3 substance.

4 (b) Removal of deposited material.--Any person who drops, or
5 permits to be dropped or thrown, upon any highway any waste
6 paper, sweepings, ashes, household waste, glass, metal, refuse
7 or rubbish, or any dangerous or detrimental substance shall
8 immediately remove the same or cause it to be removed.

9 (c) Removal of material following accident.--Any person
10 removing a wrecked, damaged or disabled vehicle from a highway
11 shall remove from the highway or neutralize any glass, oil or
12 other injurious substance resulting from the accident or
13 disablement.

14 (d) Penalty.--Any person violating any of the provisions of
15 subsection (a) or (b) is guilty of a summary offense and shall,
16 upon conviction, be sentenced to pay a fine of not more than
17 \$300.

18 § 3710. Stopping at intersection or crossing to prevent
19 obstruction.

20 No driver shall enter an intersection or a crosswalk or drive
21 onto any railroad grade crossing unless there is sufficient
22 space on the other side of the intersection, crosswalk or
23 railroad grade crossing to accommodate the vehicle operated
24 without obstructing the passage of other vehicles, pedestrians
25 or railroad trains notwithstanding any traffic-control signal
26 indication to proceed.

27 § 3711. Unauthorized persons and devices hanging
28 on vehicles.

29 (a) General rule.--No person shall hang onto or ride on the
30 outside or the rear end of any vehicle and no person on a

1 pedalcycle, motorcycle, roller skates, sled or any similar
2 device, shall hold fast to or attach the device to any moving
3 vehicle or streetcar, and no operator of a vehicle or streetcar
4 shall knowingly permit any person to hang onto or ride on the
5 outside or rear end of the vehicle or streetcar operated, or
6 allow any person on a pedalcycle, motorcycle, roller skates,
7 sled or any similar device to hold fast or attach the device to
8 the vehicle or streetcar operated on any highway.

9 (b) Exceptions.--This section is not applicable to firemen
10 or garbage collectors or operators of fire trucks or garbage
11 trucks or employees of public utility companies acting pursuant
12 to and during the course of their duties or to other persons
13 exempted by department regulations from the application of this
14 section. This section does not prohibit attaching a trailer or
15 semi-trailer to a pedalcycle.

16 § 3712. Abandonment and stripping of vehicles.

17 (a) Abandonment on highway.--No person shall abandon a
18 vehicle upon any highway.

19 (b) Abandonment on public or private property.--No person
20 shall abandon a vehicle upon any public or private property
21 without the express or implied consent of the owner or person in
22 lawful possession or control of the property.

23 (c) Stripping abandoned vehicle.--It is unlawful for any
24 person, except the owner or his agent or as otherwise provided
25 in this title, to remove any part of an abandoned vehicle.

26 (d) Penalties.--

27 (1) Any person violating subsection (a) or (b) is guilty
28 of a summary offense and shall, upon conviction, be sentenced
29 to pay a fine of \$50 plus all costs of disposing of the
30 vehicle under the provisions of Chapter 73 (relating to

1 abandoned vehicles and cargos).

2 (2) Any person violating subsection (c):

3 (i) For a first offense, is guilty of a summary
4 offense punishable by a fine of not less than \$100 nor
5 more than \$500.

6 (ii) For a subsequent offense, is guilty of a
7 misdemeanor of the third degree.

8 § 3713. Railroad trains not to block crossings.

9 No person or government agency shall operate any train in
10 such a manner as to prevent vehicular use of any roadway for a
11 period of time in excess of five consecutive minutes except
12 under any of the following circumstances:

13 (1) When necessary to comply with signals affecting the
14 safety of the movement of trains.

15 (2) When necessary to avoid striking any object or
16 person on the track.

17 (3) When the train is disabled.

18 (4) When the train is in motion except while engaged in
19 switching operations.

20 (5) When there is no vehicular traffic waiting to use
21 the crossings.

22 (6) When necessary to comply with a governmental safety
23 regulation.

24 § 3714. Reckless driving.

25 Any person who drives a vehicle in careless disregard for the
26 safety of persons or property is guilty of reckless driving, a
27 summary offense.

28 SUBCHAPTER B

29 SERIOUS TRAFFIC OFFENSES

30 Sec.

1 3731. Driving under influence of alcohol or controlled
2 substance.
3 3732. Homicide by vehicle.
4 3733. Fleeing or attempting to elude police officer.
5 3734. Driving without lights to avoid identification or arrest.

6 § 3731. Driving under influence of alcohol or controlled
7 substance.

8 (a) Offense defined.--A person shall not drive any vehicle
9 while:

10 (1) under the influence of alcohol to a degree which
11 renders the person incapable of safe driving;

12 (2) under the influence of any controlled substance, as
13 defined in the act of April 14, 1972 (P.L.223, No.64), known
14 as "The Controlled Substance, Drug, Device and Cosmetic Act,"
15 to a degree which renders the person incapable of safe
16 driving; or

17 (3) under the combined influence of alcohol and a
18 controlled substance to a degree which renders the person
19 incapable of safe driving.

20 (b) Authorized use not a defense.--The fact that any person
21 charged with violating this section is or has been legally
22 entitled to use alcohol or controlled substances is not a
23 defense to any charge of violating this section.

24 (c) Certain arrests authorized.--In addition to any other
25 powers of arrest, a police officer is hereby authorized to
26 arrest without a warrant any person who the officer has probable
27 cause to believe has violated the provisions of this section,
28 regardless of whether the alleged violation was committed in the
29 presence of such officer.

30 (d) Penalty.--Any person violating any of the provisions of

1 this section is guilty of a misdemeanor of the third degree.

2 § 3732. Homicide by vehicle.

3 Any person who unintentionally causes the death of another
4 person while engaged in the violation of any law of this
5 Commonwealth or municipal ordinance applying to the operation or
6 use of a vehicle or to the regulation of traffic is guilty of
7 homicide by vehicle, a misdemeanor of the first degree, when the
8 violation is the cause of death.

9 § 3733. Fleeing or attempting to elude police officer.

10 (a) Offense defined.--Any driver of a motor vehicle who
11 wilfully fails or refuses to bring his vehicle to a stop, or who
12 otherwise flees or attempts to elude a pursuing police vehicle,
13 when given visual or audible signal to bring the vehicle to a
14 stop, is guilty of a summary offense and shall, upon conviction,
15 be sentenced to pay a fine of \$200.

16 (b) Signal by police officer.--The signal given by the
17 police officer may be by hand, voice, emergency lights or siren.

18 (c) Defenses.--It is a defense to a prosecution under this
19 section that the pursuing police vehicle was not clearly
20 identifiable by its markings or, if unmarked, was not occupied
21 by a police officer who was in uniform and displaying a badge or
22 other sign of authority.

23 § 3734. Driving without lights to avoid identification or
24 arrest.

25 Any person who drives without lights or turns off any or all
26 the lights on a motor vehicle for the purpose of avoiding
27 identification or arrest is guilty of a summary offense and
28 shall, upon conviction, be sentenced to pay a fine of \$200.

29 SUBCHAPTER C

30 ACCIDENTS AND ACCIDENT REPORTS

1 Sec.

2 3741. Application of subchapter.

3 3742. Accidents involving death or personal injury.

4 3743. Accidents involving damage to attended vehicle or
5 property.

6 3744. Duty to give information and render aid.

7 3745. Accidents involving damage to unattended vehicle or
8 property.

9 3746. Immediate notice of accident to police department.

10 3747. Written report of accident by driver or owner.

11 3748. False reports.

12 3749. Reports by coroners and medical examiners.

13 3750. Reports by garages.

14 3751. Reports by police.

15 3752. Accident report forms.

16 3753. Department to tabulate and analyze accident reports.

17 3754. Accident prevention investigations.

18 § 3741. Application of subchapter.

19 The provisions of this subchapter shall apply upon highways
20 and traffic ways throughout this Commonwealth.

21 § 3742. Accidents involving death or personal injury.

22 (a) General rule.--The driver of any vehicle involved in an
23 accident resulting in injury or death of any person shall
24 immediately stop the vehicle at the scene of the accident or as
25 close thereto as possible but shall then forthwith return to and
26 in every event shall remain at the scene of the accident until
27 he has fulfilled the requirements of section 3744 (relating to
28 duty to give information and render aid). Every stop shall be
29 made without obstructing traffic more than is necessary.

30 (b) Penalty.--Any person violating this section is guilty of

1 a misdemeanor of the third degree.

2 § 3743. Accidents involving damage to attended vehicle
3 or property.

4 (a) General rule.--The driver of any vehicle involved in an
5 accident resulting only in damage to a vehicle or other property
6 which is driven or attended by any person shall immediately stop
7 the vehicle at the scene of the accident or as close thereto as
8 possible but shall forthwith return to and in every event shall
9 remain at the scene of the accident until he has fulfilled the
10 requirements of section 3744 (relating to duty to give
11 information and render aid). Every stop shall be made without
12 obstructing traffic more than is necessary.

13 (b) Penalty.--Any person violating this section is guilty of
14 a summary offense, punishable by a fine of \$300 or imprisonment
15 for not more than 90 days, or both.

16 § 3744. Duty to give information and render aid.

17 (a) General rule.--The driver of any vehicle involved in an
18 accident resulting in injury to or death of any person or damage
19 to any vehicle or other property which is driven or attended by
20 any person shall give his name, address and the registration
21 number of the vehicle he is driving, and shall upon request
22 exhibit his driver's license and proof of insurance to any
23 person injured in the accident or to the driver or occupant of
24 or person attending any vehicle or other property damaged in the
25 accident and shall give the information and upon request exhibit
26 the license and proof of insurance to any police officer at the
27 scene of the accident or who is investigating the accident and
28 shall render to any person injured in the accident reasonable
29 assistance, including the making of arrangements for the
30 carrying of the injured person to a physician, surgeon or

1 hospital for medical or surgical treatment if it is apparent
2 that treatment is necessary or if requested by the injured
3 person.

4 (b) Report of accident to police.--In the event that none of
5 the persons specified are in condition to receive the
6 information to which they otherwise would be entitled under
7 subsection (a) and no police officer is present, the driver of
8 any vehicle involved in the accident after fulfilling all other
9 requirements of section 3742 (relating to accidents involving
10 death or personal injury) and subsection (a), in so far as
11 possible on his part to be performed, shall forthwith report the
12 accident to the nearest office of a duly authorized police
13 department and submit to the police department the information
14 specified in subsection (a).

15 (c) Duty of occupants if driver disabled.--Whenever the
16 driver of a vehicle is physically unable to give the information
17 or assistance required in this section and there are other
18 occupants in the vehicle at the time of the accident who are
19 physically able to give the information or assistance required
20 in this section, each of the other occupants shall fully reveal
21 the identity of himself and the identity of the driver of the
22 vehicle and of the owner of the vehicle of which they are
23 occupants and shall otherwise perform the duties of the driver
24 as set forth in subsection (a).

25 § 3745. Accidents involving damage to unattended vehicle or
26 property.

27 The driver of any vehicle which collides with or is involved
28 in an accident with any vehicle or other property which is
29 unattended resulting in any damage to the other vehicle or
30 property shall immediately stop the vehicle at the scene of the

1 accident or as close thereto as possible and shall then and
2 there either locate and notify the operator or owner of the
3 damaged vehicle or other property of his name, address,
4 information relating to the certificate of insurance and the
5 registration number of the vehicle being driven or shall attach
6 securely in a conspicuous place in or on the damaged vehicle or
7 other property a written notice giving his name, address,
8 information relating to the certificate of insurance and the
9 registration number of the vehicle being driven and shall
10 without unnecessary delay notify the nearest office of a duly
11 authorized police department. Every stop shall be made without
12 obstructing traffic more than is necessary.

13 § 3746. Immediate notice of accident to police department.

14 (a) General rule.--The driver of a vehicle involved in an
15 accident shall immediately by the quickest means of
16 communication give notice to the nearest office of a duly
17 authorized police department if the accident involves:

18 (1) injury to or death of any person; or

19 (2) damage to any vehicle involved to the extent that it
20 cannot be driven under its own power in its customary manner
21 without further damage or hazard to the vehicle, other
22 traffic elements, or the roadway, and therefore requires
23 towing.

24 (b) Duty of occupant when driver disabled.--Whenever the
25 driver of a vehicle is physically incapable of giving an
26 immediate notice of an accident as required in subsection (a)
27 and there is another occupant in the vehicle at the time of the
28 accident capable of doing so, the occupant shall make or cause
29 to be given the notice not given by the driver.

30 (c) Investigation by police officer.--Every accident

1 reported to a police department required in this section shall
2 be investigated by a police officer who shall provide each
3 driver a signed statement that the accident was reported.

4 § 3747. Written report of accident by driver or owner.

5 (a) General rule.--If a police officer does not investigate
6 an accident required to be investigated by section 3746
7 (relating to immediate notice of accident to police department),
8 the driver of a vehicle which is in any manner involved in the
9 accident shall, within five days of the accident, forward a
10 written report of the accident to the department.

11 (b) Supplemental reports.--The department may require any
12 driver of a vehicle involved in an accident of which written
13 report must be made as provided in this section to file
14 supplemental written reports whenever the original report is
15 insufficient in the opinion of the department.

16 (c) Exception for disabled persons.--A written accident
17 report is not required under this subchapter from any person who
18 is physically incapable of making a report during the period of
19 incapacity.

20 (d) Duty of owner if driver disabled.--Whenever the driver
21 is physically incapable of making a written report of an
22 accident as required in this section and the driver is not the
23 owner of the vehicle, then the owner of the vehicle involved in
24 the accident shall, within five days after the accident, make
25 the report not made by the driver.

26 (e) Confidentiality of reports.--All written reports
27 required in this section to be forwarded to the department by
28 drivers or owners of vehicles involved in accidents shall be
29 without prejudice to the individual so reporting and shall be
30 for the confidential use of the department or any other

1 governmental agency or their representatives having use for the
2 records for accident prevention purposes, except that the
3 department shall disclose the identity of a person involved in
4 an accident when the identity is not otherwise known or when the
5 person denies his presence at the accident and shall disclose
6 whether any person or vehicle was covered by a vehicle insurance
7 policy and the name of the insurer.

8 (f) Use of reports as evidence.--No accident reports
9 forwarded under the provisions of this section shall be used as
10 evidence in any trial, civil or criminal, arising out of an
11 accident except that the department shall furnish upon demand of
12 any party to the trial, or upon demand of any court, a
13 certificate showing that a specified accident report has or has
14 not been made to the department in compliance with the law and,
15 if the report has been made, the date, time and location of the
16 accident, the names and addresses of the drivers and the owners
17 of the vehicles involved. The reports may be used as evidence
18 when necessary to prosecute charges filed in connection with a
19 violation of section 3748 (relating to false reports).

20 (g) Compliance with other laws required.--This section does
21 not affect the duty of filing accident reports required by any
22 other statute or regulations made thereunder.

23 § 3748. False reports.

24 Any person who gives information in oral or written reports
25 required by this subchapter knowing or having reason to believe
26 that the information is false is guilty of a summary offense and
27 shall, upon conviction, be sentenced to pay a fine of \$200.

28 § 3749. Reports by coroners and medical examiners.

29 (a) General rule.--Every coroner or medical examiner in this
30 Commonwealth shall report in writing to the department within

1 five days of certification the death of any person resulting
2 from a vehicle accident, giving the time and place of accident
3 and the circumstances relating thereto. These reports shall be
4 made on forms prepared by the department. Every coroner or
5 medical examiner shall retain a copy of the reports in his
6 office for a period of two years.

7 (b) Blood and urine samples.--The coroners or medical
8 examiners of each county in this Commonwealth shall take blood
9 or urine samples or both from the bodies of all drivers and of
10 all pedestrians over 15 years of age who die within four hours
11 following an accident and shall, within ten days of the
12 accident, transmit the samples to the Governor's Council on Drug
13 and Alcohol Abuse. This subsection shall be applicable to all
14 occupants over 15 years of age if the driver of the vehicle
15 cannot be determined.

16 (c) Regulations for testing samples.--The Governor's Council
17 on Drug and Alcohol Abuse shall establish and promulgate rules
18 and regulations for the testing of the blood and urine samples
19 authorized to be taken from dead bodies under this section.

20 § 3750. Reports by garages.

21 The person in charge of any garage or repair shop to which is
22 brought a vehicle which shows evidence of having been struck by
23 any bullet shall report to the nearest office of a duly
24 authorized police department within 24 hours after the vehicle
25 is received by the garage or repair shop, giving the year, make
26 and model name of the vehicle, the vehicle identification
27 number, the registration plate number and address of the owner
28 or driver of the vehicle.

29 § 3751. Reports by police.

30 (a) General rule.--Every police department that investigates

1 a vehicle accident for which a report must be made as required
2 in this subchapter, or otherwise prepares a written report as a
3 result of an investigation either at the time and at the scene
4 of the accident or thereafter by interviewing the participants
5 or witnesses, shall promptly forward a written report of the
6 accident to the department.

7 (b) Furnishing copies of report.--Police departments shall,
8 upon request, furnish at a cost not to exceed \$5 a certified
9 copy of the full report of the police investigation of any
10 vehicle accident to any person involved in the accident, his
11 attorney or insurer, and to the Federal Government, branches of
12 the military service, Commonwealth agencies, and to officials of
13 political subdivisions and to agencies of other states and
14 nations and their political subdivisions. The copy of the report
15 shall not be admissible as evidence in any action for damages or
16 criminal proceedings arising out of a motor vehicle accident.
17 Police departments may refuse to furnish the complete copy of
18 investigation of the vehicle accident whenever there are
19 criminal charges pending against any persons involved in the
20 vehicle accident unless the Pennsylvania Rules of Criminal
21 Procedure require the production of the documents.

22 § 3752. Accident report forms.

23 (a) Form and content.--The department shall prepare and upon
24 request supply to all law enforcement agencies and other
25 appropriate agencies or individuals, forms for written accident
26 reports as required in this subchapter suitable with respect to
27 the persons required to make the reports and the purposes to be
28 served. The written report forms shall call for sufficiently
29 detailed information to disclose with reference to a vehicle
30 accident the cause, conditions then existing and the persons and

1 vehicles involved. Reports for use by the drivers and owners
2 shall also provide for information relating to financial
3 responsibility.

4 (b) Use.--Every accident report required to be made in
5 writing shall be made on the appropriate form approved by the
6 department and shall contain all the information required
7 therein unless not available.

8 § 3753. Department to tabulate and analyze accident reports.

9 (a) Central accident records agency.--The department shall
10 establish a central accident records agency which shall be the
11 repository for all reportable traffic accidents as defined in
12 this subchapter. The agency will have primary responsibility for
13 the administration and supervision of storing, processing and
14 providing the informational needs to all official agencies
15 having responsibility in the highway transportation system.

16 (b) Central accident analysis system.--The department shall
17 provide accident data for analysis in selecting accident
18 prevention programs and in evaluating the effectiveness of those
19 programs implemented. The system shall provide:

20 (1) An annual report to the General Assembly comparing
21 traffic safety in Pennsylvania and other states which have a
22 point system with traffic safety in states which do not have
23 a point system, including, but not limited to, the number and
24 percentage of accidents, serious accidents and total
25 accidents caused by point and non-point violations.

26 (2) An annual statistical summary of motor vehicle
27 accidents including multi-dimensional distribution for such
28 factors as type, time and location of accident, road and
29 weather conditions, type of traffic control, and condition
30 and actions of operators and type and condition of the

1 vehicles.

2 (3) Identification of hazardous road locations.

3 (4) Information on which police duty assignment may be
4 more effective in order to prevent accidents.

5 (5) Evaluation of speed regulations or other provisions
6 of this title to aid the department and the General Assembly
7 in determining when changes are desirable.

8 (6) Statistical analyses of the relationship between
9 non-accident traffic violations of operators and accident
10 involvement. These analyses shall include such factors as the
11 type, location, and severity of violations, the type,
12 location, and severity of the accidents and the
13 responsibility of the operators involved.

14 (7) An evaluation of legal or departmental actions as
15 related to driver improvement and accident reduction.

16 (c) Highway safety statistics.--The department may compile
17 such other statistics for such purposes as it might deem helpful
18 in advancing highway safety.

19 § 3754. Accident prevention investigations.

20 (a) General rule.--The department, in association with the
21 Pennsylvania State Police, may conduct in-depth accident
22 investigations into the human, vehicle and environmental aspects
23 of traffic accidents for the purpose of determining the causes
24 of traffic accidents and factors which may help prevent similar
25 types of accidents.

26 (b) Confidentiality of reports.--Information, records and
27 reports associated with in-depth accident investigations shall
28 not be admissible as evidence in any legal action or other
29 proceeding, nor shall officers or employees or the agencies
30 charged with the procurement or custody of in-depth accident

1 investigation records and reports be required to give evidence
2 pertaining to anything contained in such in-depth accident
3 investigation records or reports in any legal action or other
4 proceeding.

5 PART IV

6 VEHICLE CHARACTERISTICS

7 Chapter

8 41. Equipment Standards

9 43. Lighting Equipment

10 45. Other Required Equipment

11 47. Inspection of Vehicles

12 49. Size, Weight and Load

13 CHAPTER 41

14 EQUIPMENT STANDARDS

15 Sec.

16 4101. Purpose of part.

17 4102. Definitions.

18 4103. Promulgation of vehicle equipment standards.

19 4104. Testing and approval of equipment.

20 4105. Revocation and renewal of certificates of approval.

21 4106. Market surveillance program.

22 4107. Unlawful activities.

23 4108. Injunctive relief.

24 § 4101. Purpose of part.

25 The purpose of this chapter and Chapters 43 (relating to
26 lighting equipment) and 45 (relating to other required
27 equipment) is to establish minimum standards for vehicle
28 equipment the performance of which is related to vehicle safety,
29 noise control and air quality and to make unlawful the sale and
30 use of items which do not comply with the requirements of this

1 part or with the standards and regulations promulgated by the
2 department.

3 § 4102. Definitions.

4 The following words and phrases when used in this part shall
5 have, unless the context clearly indicates otherwise, the
6 meanings given to them in this section.

7 "Federal standard". A minimum standard of vehicle or vehicle
8 equipment performance issued under the National Traffic and
9 Motor Vehicle Safety Act (80 Stat. 718, 15 U.S.C. §1381), the
10 Motor Vehicle Information and Cost Savings Act (86 Stat. 947, 15
11 U.S.C. §1901) or the Clean Air Act (81 Stat. 485, 42 U.S.C.
12 §1857).

13 "Vehicle equipment standard". A minimum standard for vehicle
14 performance or vehicle equipment performance which meets the
15 needs of vehicle safety, noise control or air quality control,
16 which is practicable and which provides objective criteria.

17 § 4103. Promulgation of vehicle equipment standards.

18 (a) General rule.--The department shall promulgate vehicle
19 equipment standards for vehicles, equipment and devices required
20 under this part. To the maximum extent possible, consistent with
21 safety, the standards shall be expressed in terms of minimum
22 acceptable performance levels, measured against objective
23 testing parameters.

24 (b) Applicability of Federal standards.--Federal standards
25 promulgated with respect to the performance of any vehicle or
26 item of equipment shall have the same force and effect as if
27 promulgated by the department under subsection (a) and shall
28 supersede any Commonwealth standard applicable to the same
29 aspect of performance for the vehicle or item of equipment.

30 (c) Incorporation of standards by reference.--Subject to the

1 provisions of subsections (a) and (b), applicable standards or
2 recommended practices issued by the National Highway Traffic
3 Safety Administration, U.S. Department of Transportation, the
4 Vehicle Equipment Safety Commission, the American National
5 Standards Institute, the Society of Automotive Engineers or any
6 other generally recognized standards setting body may be adopted
7 by reference, provided that copies of the standards are
8 incorporated in the notice of proposed rule making.

9 (d) Applicability to certain vehicles.--Vehicle equipment
10 standards contained in this part or promulgated by the
11 department under the authority given in this part shall not
12 apply to a motor vehicle registered as an antique or classic
13 vehicle containing equipment which meets the original
14 manufacturer's specifications.

15 (e) Extension of standards prohibited.--Vehicle equipment
16 standards promulgated by the department shall not be extended to
17 any vehicle which, because of its date of manufacture, is not
18 required by Federal standards to have the equipment.

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 submitted for approval as required
23 by State law or regulation or have been disapproved or have not
24 been certified as being in compliance with an applicable Federal
25 standard, immediate written notice of that fact shall be
26 furnished the dealer, distributor, wholesaler or manufacturer.
27 The dealer shall not thereafter sell the equipment and the
28 distributor, wholesaler or manufacturer shall recall all the
29 equipment from all dealers.

30 § 4107. Unlawful activities.

(a) Violation of vehicle equipment standards.--

(1) It is unlawful for any person to sell, offer for sale, lease, install or replace, either separately or as part of the equipment of a vehicle, any item of vehicle equipment affecting the operation of the vehicle which does not comply with this title or regulations promulgated thereunder, or which does not comply with an applicable Federal motor vehicle safety standard adopted by regulation by the department.

(2) Any person convicted of violating this subsection shall be subject to a civil penalty of not more than \$100 for each violation. Each violation of the provisions of this subsection shall constitute a separate violation with respect to each motor vehicle or item of motor vehicle equipment or with respect to each failure or refusal to allow or perform an act required thereby, except that the maximum civil penalty shall not exceed \$10,000 for any related series of violations.

(b) Other violations.--It is unlawful for any person to do any of the following:

(1) Wilfully or intentionally remove (other than for purposes of repair and replacement) or render inoperative, in whole or in part, any item of vehicle equipment which was required to be installed at the time of manufacture or thereafter upon any vehicle, by any law, rule, regulation or requirement of any officer or agency of the United States or of the Commonwealth, if it is intended that the vehicle be operated upon the highways of this Commonwealth unless the removal or alteration is specifically permitted by this title or by regulations promulgated by the department.

1 (2) Operate, or cause or permit another person to
2 operate, on any highway in this Commonwealth any vehicle or
3 combination which is not equipped as required under this part
4 or which is otherwise in an unsafe condition.

5 (3) Do any act forbidden by this part or fail to perform
6 any act required under this part.

7 (c) Use of certain equipment unaffected.--This part shall
8 not be construed to:

9 (1) Prohibit the use of parts or equipment required by
10 the National Traffic and Motor Vehicle Safety Act of 1966 (80
11 Stat. 718, 15 U.S.C. § 1381) or the use of any other parts or
12 accessories on any vehicle not inconsistent with the
13 provisions of this title or regulations promulgated
14 thereunder.

15 (2) Limit the use of independent after market repair and
16 service parts in the repair of vehicles and items of vehicle
17 equipment unless in violation of the provisions of this title
18 or regulations promulgated thereunder.

19 § 4108. Injunctive relief.

20 (a) General rule.--Upon petition by the department, the
21 Commonwealth Court shall have jurisdiction, for cause shown, to
22 restrain violations of this part or to restrain the sale, offer
23 for sale or use of any item of vehicle equipment which is
24 determined to be in violation of this part or regulations
25 promulgated pursuant thereto.

26 (b) Notice of contemplated action.--Whenever practicable,
27 the department shall give notice to any person against whom an
28 action for injunctive relief is contemplated and afford an
29 opportunity to present views and, except in the case of a
30 knowing and wilful violation, shall afford reasonable

1 opportunity to achieve compliance. The failure to give notice
2 and afford such opportunity shall not preclude the granting of
3 appropriate relief.

4 (c) Non-jury criminal contempt proceedings.--In any
5 proceeding for criminal contempt for violation of an injunction
6 or restraining order issued under this section, the court shall
7 sit without intervention of a jury.

8 CHAPTER 43

9 LIGHTING EQUIPMENT

10 Sec.

11 4301. Promulgation of regulations by department.

12 4302. Period for requiring lighted lamps.

13 4303. General lighting requirements.

14 4304. Obstructed lights not required.

15 4305. Vehicular hazard signal lamps.

16 4306. Use of multiple-beam road lighting equipment.

17 4307. Use and display of illuminated signs.

18 § 4301. Promulgation of regulations by department.

19 The department shall promulgate regulations governing the
20 number, visibility, color, size, type, construction, location
21 and use of lamps, other lighting equipment and any
22 retroreflective surfaces on vehicles.

23 4302. Period for requiring lighted lamps.

24 Every vehicle upon a highway at any time between sunset and
25 sunrise and at any other time when, due to insufficient light or
26 unfavorable atmospheric conditions, persons and vehicles on the
27 highway are not clearly discernible from a distance of 1000 feet
28 ahead shall display lighted head and other lamps and
29 illuminating devices as required under this chapter for
30 different classes of vehicles, subject to exceptions with

1 respect to parked vehicles. Stop lights, turn signals and other
2 signaling devices shall be lighted as prescribed in this title.

3 § 4303. General lighting requirements.

4 (a) Head lamps.--Every vehicle, except trailers, operated on
5 a highway shall be equipped with a head lamp system in
6 conformance with regulations of the department.

7 (b) Rear lighting.--Every vehicle operated on a highway
8 shall be equipped with a rear lighting system including, but not
9 limited to, rear lamps, rear reflectors, stop lamps and license
10 plate light, in conformance with regulations of the department.

11 (c) Turn signals and hazard warning lights.--Every motor
12 vehicle, except motorcycles and pedalcycles, and every trailer
13 operated on a highway shall be equipped with a system of turn
14 signal lights and hazard warning lights in conformance with
15 regulations of the department.

16 (d) Identification, clearance and side marker lights.--Every
17 motor vehicle, trailer and combination operated on a highway
18 shall be equipped with a system of lights which may include
19 retroreflective reflectors, identification, clearance and side
20 marker lights in conformance with regulations of the department.

21 (e) Equipment exempted by regulation.--Antique motor
22 vehicles, animal-drawn vehicles, implements of husbandry and
23 special mobile equipment, if operated exclusively between the
24 hours of sunrise and sunset and not during periods of reduced
25 visibility or insufficient illumination, may be exempted from
26 certain lighting equipment requirements of this part by
27 regulations of the department.

28 § 4304. Obstructed lights not required.

29 Whenever motor and other vehicles are operated in combination
30 during the time that lights are required, any lamp (except a

1 tail lamp) need not be lighted which, by reason of its location
2 on a vehicle of the combination, is obscured by another vehicle
3 of the combination, but this does not affect the requirement
4 that lighted clearance lamps be displayed on the front of the
5 foremost vehicle required to have clearance lamps, nor that all
6 lights required on the rear of the rearmost vehicle of any
7 combination shall be lighted.

8 § 4305. Vehicular hazard signal lamps.

9 (a) General rule.--Simultaneous flashing of the two front
10 and two rear signal lamps shall indicate a vehicular traffic
11 hazard. The driver of a motor vehicle equipped with simultaneous
12 flashing signals shall use the signals when the vehicle is
13 stopped or disabled on a highway, except when the vehicle is
14 stopped in compliance with a traffic-control device or when
15 legally parked. Drivers of other vehicles shall exercise
16 extraordinary care in approaching, overtaking and passing a
17 vehicle displaying vehicular hazard warning signals.

18 (b) Use outside business and residence districts.--Outside
19 of a business or residence district:

20 (1) The driver of a vehicle equipped with simultaneous
21 flashing signals shall use the signals when the vehicle is
22 unable to maintain a speed of at least 25 miles per hour
23 because of weather, grade or other similar factors or is
24 unable to maintain a speed consistent with the normal flow of
25 traffic.

26 (2) The driver of a bus equipped with simultaneous
27 flashing signals shall use the signals when the bus is
28 stopped with one or more wheels on the roadway between dusk
29 and dawn for the purpose of receiving or discharging
30 passengers.

1 (c) Use below minimum speed limit.--The driver of a vehicle
2 equipped with simultaneous flashing signals shall use the
3 signals when the vehicle is not maintaining at least the minimum
4 speed established in accordance with the provisions of section
5 3364 (relating to minimum speed regulation).

6 § 4306. Use of multiple-beam road lighting equipment.

7 (a) Approaching an oncoming vehicle.--Whenever the driver of
8 a vehicle approaches an oncoming vehicle within 500 feet, the
9 driver shall use the low beam of light.

10 (b) Approaching a vehicle from rear.--Whenever the driver of
11 a vehicle approaches another vehicle from the rear within 300
12 feet, the driver shall use the low beam of light.

13 § 4307. Use and display of illuminated signs.

14 (a) General rule.--Except as otherwise provided in this
15 section, no vehicle shall bear or display any illuminated signs,
16 letters, numerals or figures of any kind whatsoever.

17 (b) Buses.--A bus or school bus may bear an illuminated sign
18 stating its use or destination.

19 (c) Taxicabs.--A taxicab may carry on the rear or the top of
20 the vehicle illuminated signs placed so as not to interfere with
21 the vision of the driver through the rear window of the vehicle.
22 The size and placement of the sign must receive approval of the
23 department or be a type approved by the department prior to use
24 on the vehicle.

25 CHAPTER 45

26 OTHER REQUIRED EQUIPMENT

27 Subchapter

28 A. Brake Equipment

29 B. Safety and Anti-pollution Equipment

30 C. Vehicles for Transportation of School Children

1 D. Equipment of Authorized and Emergency Vehicles

2 SUBCHAPTER A

3 BRAKE EQUIPMENT

4 Sec.

5 4501. Promulgation of regulations by department.

6 4502. General requirements for braking systems.

7 § 4501. Promulgation of regulations by department.

8 The department shall promulgate regulations governing the
9 type, size, construction, location and use of brake equipment
10 taking into consideration different requirements for different
11 classes or types of vehicles. The authority granted in this
12 section includes the power to regulate the performance of the
13 brake system on a vehicle.

14 § 4502. General requirements for braking systems.

15 (a) Parking brakes.--Every vehicle or combination, except a
16 motorcycle, operated on a highway shall be equipped with a
17 parking brake system adequate to hold the vehicle or combination
18 on any grade on which it is operated, under all conditions of
19 loading, on a surface free of ice or snow. The system shall not
20 be designed to require a continuous or intermittent source of
21 energy for full effectiveness after initial application.

22 (b) Service brakes.--Every vehicle and combination operated
23 on a highway shall be equipped with a service brake system
24 adequate to control the movement of and to stop and hold the
25 vehicle or combination on any grade on which it is operated,
26 under all conditions of loading, and adequate to meet the
27 braking performance standards established by regulation of the
28 department.

29 (c) Breakaway systems.--Every combination operated on a
30 highway, the towed vehicle of which is equipped with brakes or

1 which has a gross weight in excess of 3,000 pounds, shall be so
2 equipped that, upon breakaway of the towed vehicle, the towed
3 vehicle shall be stopped and held automatically, and the towing
4 vehicle shall be capable of being stopped and held by use of its
5 own service braking system.

6 (d) Exceptions.--This section does not apply to towed
7 instruments of husbandry and such items or types of special
8 mobile equipment as are specifically exempted from compliance by
9 regulations promulgated by the department.

10 SUBCHAPTER B

11 SAFETY AND ANTI-POLLUTION EQUIPMENT

12 Sec.

13 4521. Promulgation of regulations by department.

14 4522. Violation of Federal statute or regulation.

15 4523. Exhaust systems, mufflers and noise control.

16 4524. Windshield obstructions and wipers.

17 4525. Tire equipment and traction surfaces.

18 4526. Safety glass.

19 4527. Television equipment.

20 4528. Fire extinguishers.

21 4529. Slow moving vehicle emblem.

22 4530. Portable emergency warning devices.

23 4531. Emission control systems.

24 4532. Smoke control for diesel-powered motor vehicles.

25 4533. Rear wheel shields.

26 4534. Rear-view mirrors.

27 4535. Audible warning devices.

28 4536. Bumpers.

29 § 4521. Promulgation of regulations by department.

30 The department shall promulgate regulations governing the

1 number, size, color, type, construction, location and use of
2 other equipment on vehicles consistent with but not limited by
3 the provisions of this subchapter and taking into consideration
4 different requirements for different classes or types of
5 vehicles.

6 § 4522. Violation of Federal statute or regulation.

7 (a) General rule.--No person shall drive a vehicle on any
8 highway in violation of any provision of a Federal statute or
9 regulation relating to any type of equipment or documents used
10 in the vehicle while engaged in interstate commerce.

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 \$100.

14 § 4523. Exhaust systems, mufflers and noise control.

15 (a) Compliance with established sound levels.--Every motor
16 vehicle operated on a highway shall be constructed, equipped,
17 maintained and operated so as not to exceed the sound level for
18 the vehicle as prescribed in regulations promulgated by the
19 department. The test procedures and instrumentation to be
20 utilized shall also be established by regulation.

21 (b) Compliance with exhaust requirements.--In addition to
22 any requirements established under sections 4531 (relating to
23 emission control systems) and 4532 (relating to smoke control
24 for diesel-powered motor vehicles), every motor vehicle shall be
25 constructed, equipped, maintained and operated so as to prevent
26 engine exhaust gases from penetrating and collecting in any part
27 of the vehicle occupied by the driver or passengers.

28 (c) Mufflers and related equipment.--Every motor vehicle
29 shall be equipped with a muffler or other effective noise
30 suppressing system in good working order and in constant

1 operation and no muffler or exhaust system shall be equipped
2 with a cutout, bypass or similar device.

3 (d) Unauthorized modification of equipment.--No person shall
4 modify the exhaust system of a motor vehicle in a manner which
5 will amplify or increase the noise emitted by the motor of the
6 vehicle above the maximum levels permitted under subsection (a)
7 or violate the provisions of subsection (b). Headers and side
8 exhausts are permitted provided the vehicle meets all the
9 requirements of this section.

10 (e) Fire equipment and racing vehicles.--This section does
11 not apply to fire equipment or to racing vehicles being operated
12 in an organized racing or competitive event conducted under a
13 permit issued by local authorities.

14 § 4524. Windshield obstructions and wipers.

15 (a) Obstruction on front windshield.--No person shall drive
16 any motor vehicle with any sign, poster or other nontransparent
17 material upon the front windshield except an inspection
18 certificate, sticker identification sign on a mass transit
19 vehicle or other officially required sticker and no person shall
20 drive any motor vehicle with any ice or snow on the front
21 windshield which materially obstructs, obscures or impairs the
22 driver's clear view of the highway or any intersecting highway.

23 (b) Obstruction on side and rear windows.--No person shall
24 drive any motor vehicle with any sign, poster or other
25 nontransparent material, including ice or snow, upon the side
26 wings or side or rear windows of the vehicle which materially
27 obstructs, obscures or impairs the driver's clear view of the
28 highway or any intersecting highway.

29 (c) Other obstruction.--No person shall drive any motor
30 vehicle with any object or material hung from the inside rear

1 view mirror or otherwise hung, placed or attached in such a
2 position as to materially obstruct, obscure or impair the
3 driver's vision through the front windshield or any manner as to
4 constitute a safety hazard.

5 (d) Windshield wiper systems.--The windshield on every motor
6 vehicle other than a motorcycle or motor-driven cycle shall be
7 equipped with a wiper system capable of cleaning rain, snow or
8 other moisture from the windshield, and so constructed as to be
9 controlled or operated by the driver of the vehicle.

10 § 4525. Tire equipment and traction surfaces.

11 (a) General rule.--No vehicle shall be operated on the
12 highway unless the vehicle is equipped with tires of a type,
13 size and construction approved by the department for the vehicle
14 and unless the tires are in a safe operating condition as
15 determined in accordance with regulations of the department.

16 (b) Vehicles not equipped with pneumatic tires.--It is
17 unlawful for any person to operate or move, or cause or permit
18 to be moved, in contact with any highway any vehicle equipped
19 with traction or road contact surfaces other than pneumatic
20 tires unless of a type, size and construction permitted by
21 regulations of the department and unless the movement is made
22 under specific conditions allowed by regulations of the
23 department.

24 (c) Tire studs.--No vehicle having tires containing studs
25 shall be driven on any highway.

26 (d) Tire chains.--Tire chains may be temporarily used on
27 vehicles during periods of snow and ice emergency if they are in
28 conformance with regulations promulgated by the department.

29 § 4526. Safety glass.

30 (a) Safety glass required.--It is unlawful to sell or to

1 operate on any highway in this Commonwealth any vehicle
2 manufactured or assembled after January 1, 1934, and registered
3 in this Commonwealth unless the vehicle is equipped with safety
4 glass or similar material, which is in compliance with
5 regulations promulgated by the department, wherever transparent
6 or translucent material is used in the vehicle in doors,
7 windows, windshields and wings.

8 (b) Replacement of glass.--It is unlawful for the owner of
9 any vehicle to have safety glass, broken or otherwise, in the
10 windshields, doors, windows or wings of the vehicle replaced
11 with any glass other than safety glass. It is unlawful for any
12 person to install in the windshields, doors, windows or wings of
13 any vehicle any glass other than safety glass.

14 (c) Violation by common carrier or public utility.--In case
15 of any violation of any provision of this section by any common
16 carrier or person operating under a certificate of authority
17 issued by the Pennsylvania Public Utility Commission, the
18 certificate shall either be revoked or, in the discretion of the
19 commission, suspended until the provision or provisions are
20 complied with to the satisfaction of the commission.

21 (d) Exception.--This section does not apply to house
22 trailers.

23 § 4527. Television equipment.

24 No motor vehicle operated on a highway shall be equipped with
25 television-type receiving equipment forward of the back of the
26 driver's seat or otherwise visible to the driver. This section
27 does not prevent the use of television-type receiving equipment
28 in a vehicle used exclusively for safety or law enforcement
29 purposes as approved by the Pennsylvania State Police.

30 § 4528. Fire extinguishers.

1 Every vehicle towing a house trailer, every motor home and
2 every motor vehicle with a mounted truck-camper shall be
3 equipped with at least one fire extinguisher of a type and size
4 approved by the department.

5 § 4529. Slow moving vehicle emblem.

6 (a) General rule.--All implements of husbandry and special
7 mobile equipment designed to operate at 25 miles per hour or
8 less and all animal-drawn vehicles shall, when traveling on a
9 highway, display on the rear of the vehicle a reflective slow
10 moving vehicle emblem as specified in regulations of the
11 department. The use of the slow moving vehicle emblem shall be
12 in addition to any other lighting devices or equipment required
13 by this title.

14 (b) Limitations on use or display.--No person shall use or
15 display the slow moving vehicle emblem except as provided in
16 this section nor shall any person display the emblem on a
17 vehicle traveling at a speed in excess of 25 miles per hour.

18 (c) Towed vehicles.--The emblem shall be required to be
19 displayed on a slow moving vehicle which is being towed on a
20 highway unless the towing vehicle displays the emblem in such a
21 manner as to be clearly visible from the rear.

22 § 4530. Portable emergency warning devices.

23 (a) General rule.--Every truck, truck-tractor and bus and
24 any motor vehicle towing a trailer shall carry at least three
25 portable emergency warning devices of a type specified by
26 regulations promulgated by the department. The regulations shall
27 be consistent with Motor Carrier Safety Regulations, Department
28 of Transportation, Federal Highway Administration, Bureau of
29 Motor Carrier Safety, section 393.95.

30 (b) When display required.--Whenever any vehicle of a type

1 referred to in subsection (a) is disabled or stopped for more
2 than ten minutes upon a roadway or shoulder outside of an urban
3 district, or upon any divided highway, the driver of the vehicle
4 shall display the portable warning devices of the type required
5 under subsection (a) in such manner as the department shall
6 direct by regulations.

7 § 4531. Emission control systems.

8 (a) Compliance with established maximum levels.--No vehicle
9 manufactured in compliance with the requirements of the Clean
10 Air Act (77 Stat.392, 42 U.S.C. § 1857), or any amendments or
11 supplements thereto, shall have emissions exceeding the maximum
12 permissible levels prescribed by law.

13 (b) Limitation or alteration of system.--No person shall
14 change or alter the emission control system of a vehicle in such
15 a manner that it fails to comply with the prescribed emissions
16 criteria. It is unlawful for the vehicle to be operated under
17 its own power until a reinspection at an official inspection
18 station establishes its full compliance.

19 § 4532. Smoke control for diesel-powered motor vehicles.

20 (a) Standards and inspection.--The department shall
21 promulgate regulations for the control of smoke from diesel-
22 powered motor vehicles prescribing standards, inspection
23 procedures and inspection equipment.

24 (b) Compliance with standards.--No person shall operate a
25 diesel-powered motor vehicle on a highway in such a manner that
26 the smoke emitted exceeds the standards established under this
27 section. Each day of operation in violation shall constitute a
28 separate offense under this subsection.

29 (c) Correction to avoid prosecution.--Any person arrested in
30 violation of this section shall, upon written notice, be given

1 the opportunity to correct the violation within 48 hours. If
2 sufficient proof of correction is furnished to the arresting
3 officer or his representative within 48 hours of the delivery of
4 the written notice, no prosecution of the violation shall be
5 brought.

6 (d) Limitation on alteration of system.--No person shall
7 intentionally change or alter a factory installed smoke control
8 system on any diesel-powered vehicle or its fuel system so as to
9 limit the ability of the system to control smoke, and no person
10 shall remove the smoke control system except for repair or
11 installation of a proper replacement.

12 § 4533. Rear wheel shields.

13 Every truck, trailer and truck-tractor (without a semi-
14 trailer) driven on a highway shall be so constructed or equipped
15 as to bar water or other road surface substances thrown from the
16 rear wheels of such vehicle or combination at tangents exceeding
17 22 1/2 degrees, measured from the road surface, from passing in
18 a straight line to the rear of such vehicle or combination.

19 § 4534. Rear-view mirrors.

20 No person shall operate a motor vehicle or combination on a
21 highway unless the vehicle or combination is equipped with at
22 least one mirror, or similar device, which provides the driver
23 an unobstructed view of the highway to the rear of the vehicle
24 or combination.

25 § 4535. Audible warning devices.

26 (a) General rule.--Every motor vehicle operated on a highway
27 shall be equipped with a horn or other audible warning device of
28 a type approved in regulations of the department.

29 (b) Certain sound devices prohibited.--Except as
30 specifically provided in this part or by regulations of the

1 department, no vehicle operated on a highway shall be equipped
2 with a siren, bell, whistle or any device emitting a similar
3 sound or any unreasonably loud or harsh sound.

4 § 4536. Bumpers.

5 No person shall operate any vehicle upon a highway without
6 bumpers of a type specified by regulations of the department in
7 both the front and rear unless the vehicle was originally
8 designed and manufactured to be used without bumpers.

9 SUBCHAPTER C

10 VEHICLES FOR TRANSPORTATION OF SCHOOL CHILDREN

11 Sec.

12 4551. Safety regulations.

13 4552. General requirements for school buses.

14 4553. General requirements for other vehicles transporting
15 school children.

16 § 4551. Safety regulations.

17 (a) General rule.--All school buses and all other vehicles
18 used in the transportation of school children, owned by or under
19 contract with any school district or parochial or private
20 school, shall conform to standards prescribed by the department.
21 Regulations shall be promulgated by the department governing the
22 safe design, construction, equipment and operation of vehicles
23 engaged in the transportation of school children.

24 (b) Violation and penalty.--No person shall operate or
25 permit the operation of a vehicle of a type specified in this
26 subchapter which is not in compliance with the requirements of
27 this subchapter or applicable regulations issued under this
28 subchapter. Violation of this section constitutes a summary
29 offense punishable by a fine of not less than \$50 nor more than
30 \$100.

1 § 4552. General requirements for school buses.

2 (a) Color and identification.--Every school bus shall be of
3 a uniform color scheme and labeled "School Bus" on both front
4 and rear as provided by regulation. Exterior labels and markings
5 other than those specifically required or permitted by law or
6 regulation shall be prohibited.

7 (b) Visual signals.--In addition to the applicable lighting
8 requirements of Chapter 43 (relating to lighting equipment)
9 every school bus shall be equipped with a uniform front and rear
10 system of red and amber visual signals for the warning and
11 control of traffic during route operations as provided in
12 section 3345 (relating to meeting or overtaking school bus) and
13 in regulations of the department.

14 (c) Body construction.--Every school bus shall be designed
15 and constructed to provide a single, closed metal body with
16 adequate ventilation and an entrance door of adequate clearance
17 and safe design visible to and controlled only by the driver. At
18 least one emergency exit door of safe design and construction
19 and adequate labeling shall be located in or near the rear of
20 the school bus. All side windows shall be of a safe design which
21 will provide emergency egress for passengers.

22 (d) Seating.--Adequate seating space of safe design and
23 construction shall be provided for each passenger and no
24 passenger shall be carried for which adequate seating space is
25 not available and used.

26 (e) Visibility.--Every school bus shall be designed and
27 equipped so as to provide the driver with an unobstructed view
28 of any pedestrian in proximity to the vehicle.

29 (f) Emergency equipment.--Every school bus shall carry, in
30 good and usable condition, at least one fire extinguisher of

1 adequate size and type and such other emergency equipment as
2 regulations may prescribe.

3 (g) Emergency drills.--Each school district and the
4 administration of every private school within this Commonwealth
5 shall ensure, through adequate instruction and a minimum of two
6 actual drills each year, that every student is familiar with
7 school bus emergency procedures and equipment and safe loading
8 and unloading operations.

9 (h) Duty of department.--The department shall by regulation
10 adopt specific requirements implementing this section and any
11 additional requirements, not inconsistent with this section,
12 which will ensure the maximum safety of school children
13 furnished transportation. Unless required by Federal law or
14 regulation, the regulations established by the department shall
15 not require vehicles which pick up and discharge school children
16 only at locations off the highway to be of any particular color
17 or to display flashing red and amber lights.

18 § 4553. General requirements for other vehicles transporting
19 school children.

20 (a) Buses operated by urban mass transportation systems.--
21 Buses, other than school buses, operated by urban mass
22 transportation systems for the exclusive transportation of
23 school children shall comply with Federal safety standards and
24 such other safety regulations as the Pennsylvania Public Utility
25 Commission and the department shall provide for such buses.

26 (b) Other vehicles.--A motor vehicle used to transport
27 children to or from school or in connection with school
28 activities, which is not a school bus because of its limited
29 seating capacity, shall comply with regulations established by
30 the department for such vehicles. Unless required by Federal law

1 or regulation, the regulations established by the department
2 shall not require vehicles which pick up and discharge school
3 children only at locations off the highway to be of any
4 particular color or to display flashing red and amber lights.

5 SUBSECTION D

6 EQUIPMENT OF AUTHORIZED AND EMERGENCY VEHICLES

7 Sec.

8 4571. Visual and audible signals on emergency vehicles.

9 4572. Visual signals on authorized vehicles.

10 § 4571. Visual and audible signals on emergency vehicles.

11 (a) General rule.--Every emergency vehicle shall be equipped
12 with one or more revolving or flashing red lights and an audible
13 warning system.

14 (b) Police and fire vehicles.--

15 (1) Police vehicles may in addition to the requirements
16 of subsection (a) be equipped with revolving or flashing blue
17 lights. The combination of red and blue lights may be used
18 only on police vehicles.

19 (2) Spotlights with adjustable sockets may be attached
20 to or mounted on police vehicles.

21 (3) Unmarked police vehicles, used as emergency vehicles
22 and equipped with audible warning systems, may be equipped
23 with the lights described in this section.

24 (4) Police and fire vehicles may be equipped with a
25 mounted rack containing one or more emergency warning lights
26 or side mounted adjustable floodlights, or both.

27 (c) Game Commission vehicles.--Vehicles owned and operated
28 by the Pennsylvania Game Commission may be equipped with
29 revolving or flashing red lights in accordance with subsection
30 (a).

1 (d) Vehicles prohibited from using signals.--Except as
2 otherwise specifically provided in this part, no vehicle other
3 than an emergency vehicle may be equipped with lights or audible
4 warning systems identical or similar to those specified in
5 subsections (a) and (b).

6 (e) Authorized period of use.--The lights and warning
7 systems specified by this section may be used only during an
8 emergency or in the interest of public safety and by police
9 officers in enforcement of the law.

10 (f) Conformity with department regulations.--All equipment
11 authorized or required by this section shall conform to
12 department regulations.

13 § 4572. Visual signals on authorized vehicles.

14 (a) Flashing or revolving blue lights.--Ambulance personnel,
15 volunteer firefighters and owners and handlers of dogs used in
16 tracking humans may each equip one motor vehicle with no more
17 than two flashing or revolving blue lights.

18 (1) In order to be eligible to display lights on their
19 vehicles under this subsection, the names of the ambulance
20 personnel and volunteer firefighters shall be submitted to
21 the nearest station of the Pennsylvania State Police on a
22 list signed by the chief of the ambulance or fire department
23 or company and each dog owner and handler shall register at
24 the nearest Pennsylvania State Police station.

25 (2) The manner in which the lights are displayed and
26 their intensity shall be determined by regulation of the
27 department.

28 (3) The lights shall be operable by the driver from
29 inside the vehicle.

30 (4) The lights may be used only while enroute to or at

1 the scene of a fire or emergency call.

2 (5) The lights shall be removed from the vehicle within
3 ten days of receipt of notice from the chief of the ambulance
4 or fire department or company to remove the lights upon
5 termination of the person's status as an active volunteer
6 firefighter or ambulance person or upon termination of the
7 person's active status as a dog owner or handler, or when the
8 vehicle is no longer used in connection with the person's
9 duties as a volunteer firefighter or ambulance person or dog
10 owner or handler.

11 (6) This subsection does not relieve the driver from the
12 duty to drive with due regard for the safety of all persons
13 nor exempt the driver from complying with all provisions of
14 this title.

15 (b) Flashing or revolving yellow lights.--Vehicles
16 authorized pursuant to the provisions of section 6107 (relating
17 to designation of authorized vehicles by department) may be
18 equipped with no more than two flashing or revolving yellow
19 lights. The manner in which the light shall be displayed and the
20 intensity shall be determined by regulation of the department.

21 (c) Vehicles prohibited from using lights.--No vehicle other
22 than a duly authorized vehicle may be equipped with lights
23 identical or similar to those specified in subsections (a) and
24 (b).

25 CHAPTER 47

26 INSPECTION OF VEHICLES

27 Subchapter

28 A. Inspection Requirements

29 B. Official Inspection Stations

30 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 inspection.

4704. Notice by police officers of violation.

4705. Inspection of vehicles for transportation of school children.

§ 4701. Duty to comply with inspection laws.

No owner or driver shall refuse to submit a vehicle to any inspection and test that is authorized or required by the provisions of this chapter.

§ 4702. Requirement for periodic inspection of vehicles.

(a) General rule.--The department shall establish a system of semi-annual inspection of vehicles registered in this Commonwealth.

(b) Annual inspection of certain vehicles.--Recreational trailers, vehicles registered an antique and classic vehicles, fire fighting vehicles and motorcycles shall be subject to annual inspection.

(c) Inspection of vehicles reentering this Commonwealth.--Owners of Pennsylvania registered vehicles which have been outside of this Commonwealth continuously for 30 days or more and which at the time of reentering this Commonwealth do not bear a currently valid certificate of inspection and approval shall, within five days of reentering this Commonwealth, proceed to an official inspection station for an inspection of the vehicle.

(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 30 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 § 4703. Operation of vehicle without official certificate of
7 inspection.

8 (a) General rule.--No registered motor vehicle shall be
9 driven and no registered trailer shall be moved on a highway
10 unless the vehicle displays a currently valid certificate of
11 inspection and approval.

12 (b) Exceptions.--Subsection (a) does not apply to:

13 (1) Special mobile equipment.

14 (2) Implements of husbandry.

15 (3) Motor vehicles being towed.

16 (4) Motor vehicles being operated or trailers being
17 towed by an official inspection station owner or employee for
18 the purpose of inspection.

19 (c) Display of unauthorized certificate of inspection.--No
20 certificate of inspection and approval shall be displayed unless
21 an official inspection has been made and the vehicle is in
22 conformance with the provisions of this chapter.

23 (d) Authority of police.--Any police officer may stop any
24 motor vehicle or trailer and require the owner or operator to
25 display an official certificate of inspection and approval for
26 the vehicle being operated. A police officer may summarily
27 remove an unlawfully issued certificate of inspection from any
28 vehicle.

29 § 4704. Notice by police officers of violation.

30 (a) General rule.--Any police officer having probable cause

1 to believe that any vehicle, regardless of whether it is being
2 operated, is unsafe or not equipped as required by law may at
3 any time submit a written notice of the condition to the driver
4 of the vehicle or to the owner, or if neither is present, to an
5 adult occupant of the vehicle, or if the vehicle is unoccupied,
6 the notice shall be attached to the vehicle in a conspicuous
7 place.

8 (1) If an item of equipment is broken or missing, the
9 notice shall specify the particulars of the condition and
10 require that the equipment be adjusted or repaired. Within
11 five days evidence must be submitted to the police that the
12 requirements for repair have been satisfied.

13 (2) If the police officer has probable cause to believe
14 that a vehicle is unsafe or not in proper repair, he may
15 require in the written notice that the car be inspected. The
16 owner or driver shall submit to the police within five days
17 of the date of notification certification from an official
18 inspection station that the vehicle has been restored to safe
19 operating condition in relation to the particulars specified
20 on the notice.

21 (3) After the expiration of the five-day period
22 specified in paragraphs (1) and (2), the vehicle shall not be
23 operated upon the highways of this Commonwealth until the
24 owner or driver has submitted to the police evidence of
25 compliance with the requirements of paragraph (1) or (2),
26 whichever is applicable.

27 (b) Operation prohibited if hazardous.--In the event a
28 vehicle, in the reasonable judgment of the officer, is in such
29 condition that further operation would be hazardous, the officer
30 may require that the vehicle not be operated under its own power

1 and may so stipulate in the notice given under subsection (a).
2 § 4705. Inspection of vehicles for transportation of school
3 children.

4 (a) State Police inspection.--The owner of every school bus
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. Display of certificate of inspection.

2 4729. Removal of certificate of inspection.

3 4730. Violations of use of certificate of inspection.

4 4731. Records of inspections and certificates issued.

5 4732. Inspection Advisory Board.

6 § 4721. Appointment of official inspection stations.

7 For the purpose of establishing a system of official
8 inspection stations, the department shall issue certificates of
9 appointment to privately owned facilities within this
10 Commonwealth that comply with the requirements of this chapter
11 and regulations adopted by the department. The department shall
12 issue instructions and all necessary forms to such facilities.
13 Official inspection stations are authorized to inspect vehicles
14 and issue official certificates of inspection.

15 § 4722. Certificate of appointment.

16 (a) Application and issuance.--Application for a certificate
17 of appointment shall be made upon an official form. The
18 certificate of appointment shall be issued only when the
19 department is satisfied that the station is equipped properly
20 and has competent personnel to make inspections and adjustments
21 and that inspections will be conducted properly. Only those
22 stations fulfilling department requirements and complying with
23 department regulations shall be issued a certificate of
24 appointment.

25 (b) Separate application for each place of business.--If the
26 applicant has or intends to have more than one place of business
27 within this Commonwealth, a separate application shall be made
28 for each place of business.

29 (c) Bond or proof of insurance.--Before issuing a
30 certificate of appointment the department shall require a bond

1 or proof of insurance to provide compensation for any damage to
2 a vehicle during an inspection or adjustment due to negligence
3 on the part of the applicant or its employees in such amount as
4 is deemed adequate by the department pursuant to department
5 regulations.

6 § 4723. Certificate of appointment for inspecting fleet
7 vehicles.

8 The department may issue a certificate of appointment under
9 the provisions of this chapter to any person who owns or leases
10 15 or more vehicles and who meets the requirements of this
11 chapter and regulations adopted by the department. The
12 certificate of appointment may authorize inspection of only
13 those vehicles owned or leased by such person.

14 § 4724. Suspension of certificates of appointment.

15 (a) General rule.--The department shall supervise and
16 inspect official inspection stations and shall suspend the
17 certificate of appointment issued to a station which it finds is
18 not properly equipped or conducted or which has violated or
19 failed to comply with any of the provisions of this chapter or
20 regulations adopted by the department. The department shall
21 maintain a list of all stations holding certificates of
22 appointment and of those whose certificates of appointment have
23 been suspended. Any suspended certificate of appointment and all
24 unused certificates of inspection shall be returned immediately
25 to the department.

26 (b) Judicial review.--Any person whose certificate of
27 appointment has been denied or suspended under this chapter
28 shall have the right to file a petition within 30 days for a
29 hearing on the matter in the court of common pleas of the county
30 in which the inspection station is located. The court is hereby

1 vested with jurisdiction and it shall be its duty to set the
2 matter for hearing upon 30 days' written notice to the
3 department and to take testimony and examine into the facts of
4 the case and to determine whether the petitioner is entitled to
5 a certificate of appointment or is subject to suspension of the
6 certificate of appointment under the provisions of this chapter.
7 § 4725. Use of certificate of appointment at official
8 inspection stations.

9 (a) General rule.--No person shall in any manner represent
10 any place as an official inspection station unless the station
11 is operating under a valid certificate of appointment issued by
12 the department.

13 (b) Transfer, use and posting.--No certificate of
14 appointment for any official inspection station shall be
15 assigned or transferred or used at any location other than the
16 one designated in the certificate. The certificate of
17 appointment shall be posted in a conspicuous place at such
18 location.

19 (c) Penalty.--Any person violating this section is guilty of
20 a summary offense punishable:

21 (1) For a first offense, by a fine of \$100.

22 (2) For a subsequent offense, by a fine of not less than
23 \$200 nor more than \$500 or imprisonment for not more than 90
24 days, or both.

25 § 4726. Certification of mechanics.

26 No mechanic shall conduct motor vehicle inspections at an
27 official inspection station unless certified as to training,
28 qualifications and competence by the department according to
29 department regulations. The provisions of this title or
30 regulations adopted thereunder shall not be construed or applied

1 in a manner which would preclude or impair the right of a person
2 who is a resident of another state, and who is in possession of
3 a valid driver's license issued by such state, to be certified
4 to conduct motor vehicle inspections at an official inspection
5 station in this Commonwealth. No official inspection station
6 appointment shall be issued or renewed unless a certified
7 official inspection mechanic is there employed.

8 § 4727. Issuance of certificate of inspection.

9 (a) Requirements prior to inspection.--No vehicle shall be
10 inspected unless it is duly registered. The owner or operator or
11 an employee of the official inspection station shall examine the
12 registration card in order to ascertain that the vehicle is
13 registered.

14 (b) Requirements for issuance of certificate.--An official
15 certificate of inspection shall not be issued unless the vehicle
16 is inspected and found to be in compliance with the provisions
17 of this chapter including any regulations promulgated by the
18 department. Notation of the odometer reading shall be included
19 on the certificate of inspection.

20 § 4728. Display of certificate of inspection.

21 The appropriate certificate of inspection shall be affixed to
22 the vehicle as specified in regulations adopted by the
23 department.

24 § 4729. Removal of certificate of inspection.

25 No certificate of inspection shall be removed from a vehicle
26 for which the certificate was issued except to replace it with a
27 new certificate of inspection issued in accordance with the
28 provisions of this chapter or as follows:

29 (1) The police officer may remove a certificate of
30 inspection in accordance with the provisions of section

1 4703(d) (relating to operation of vehicle without official
2 certificate of inspection).

3 (2) A person replacing a windshield or repairing a
4 windshield in such a manner as to require removal of a
5 certificate of inspection shall at the option of the
6 registrant of the vehicle cut out the portion of the
7 windshield containing the certificate and deliver it to the
8 registrant of the vehicle or destroy the certificate. The
9 vehicle may be driven for up to five days if it displays the
10 portion of the old windshield containing the certificate as
11 prescribed in department regulations. Within the five day
12 period an official inspection station may affix to the
13 vehicle another certificate of inspection for the same
14 inspection period without reinspecting the vehicle in
15 exchange for the portion of the old windshield containing the
16 certificate of inspection. A fee of no more than \$1 may be
17 charged for the exchanged certificate of inspection.

18 (3) A salvor shall remove and destroy the certificate of
19 inspection on every vehicle in his possession except vehicles
20 used in the operation of the business of the salvor.

21 § 4730. Violations of use of certificate of inspection.

22 (a) General rule.--No person shall:

23 (1) make, issue, transfer or possess any imitation or
24 counterfeit of an official certificate of inspection; or

25 (2) display or cause to be displayed on any vehicle or
26 have in possession any certificate of inspection knowing the
27 same to be fictitious or stolen or issued for another vehicle
28 or issued without an inspection having been made.

29 (b) Unauthorized use by official inspection station.--No
30 official inspection station shall furnish, loan, give or sell

1 certificates of inspection and approval to any other official
2 inspection station or any other person except upon an inspection
3 made in accordance with the requirements of this chapter.

4 (c) Penalty.--A violation of the provisions of this section
5 constitutes a summary offense punishable:

6 (1) For a first offense, by a fine of \$100.

7 (2) For a subsequent offense, by a fine of not less than
8 \$200 nor more than \$500 or imprisonment for not more than 90
9 days, or both.

10 § 4731. Records of inspections and certificates issued.

11 A record shall be made of every inspection and every
12 certificate issued and the record shall be forwarded to the
13 department in the manner and at the time the department shall
14 specify by regulation. An official inspection station and its
15 records shall be open for inspection by any police officer or
16 authorized department employee.

17 § 4732. Inspection Advisory Board.

18 (a) Membership.--There shall be an Inspection Advisory Board
19 consisting of 11 members appointed by the secretary. The board
20 shall be composed of an authorized representative of the
21 department and of the Pennsylvania State Police and
22 representatives of the automotive industry and the public, as
23 follows: a new car dealer, a used car dealer, a fleet owner, a
24 certified mechanic, a service station operator, a parts and
25 equipment wholesaler, an independent repair shop operator and
26 two members of the general public who are licensed drivers.

27 (b) Duties.--The board shall advise the department and
28 review regulations proposed by the department concerning
29 inspection requirements and operation of official inspection
30 stations.

CHAPTER 49

SIZE, WEIGHT AND LOAD

Subchapter

A. General Provisions

B. Width, Height and Length

C. Maximum Weights of Vehicles

D. Special Permits for Excessive Size and Weight

E. Measuring and Adjusting Vehicle Size and Weight

SUBCHAPTER A

GENERAL PROVISIONS

Sec.

4901. Scope and application of chapter.

4902. Restrictions on use of highways and bridges.

4903. Securing loads in vehicles.

4904. Limits on number of towed vehicles.

4905. Safety requirements for towed vehicles.

4906. Fire apparatus.

4907. Penalty for violation of chapter.

§ 4901. Scope and application of chapter.

(a) General rule.--It is unlawful for any person to drive or move, or for the owner to cause or permit to be driven or moved, on any highway any vehicle or vehicles of a size or weight exceeding the limitations provided in this chapter or any vehicle or vehicles which are not so constructed or equipped as required in this title or the regulations of the department.

(b) Limitations on local regulation.--The maximum size and weight of vehicles specified in this chapter shall govern throughout this Commonwealth and local authorities shall have no power or authority to alter these limitations except as express authority may be granted in this title.

(c) Permit authorizing prohibited movement.--If an overweight or oversize movement cannot be made in any other feasible manner, the permit may authorize the movement to be made in contravention to any provision of this title provided that:

(1) the department or local authority determines that the movement is in the public interest; and

(2) the movement is escorted by the Pennsylvania State Police or department personnel while any provision of this title is being contravened.

§ 4902. Restrictions on use of highways and bridges.

(a) General rule.--The department and local authorities with respect to highways and bridges under their jurisdictions may prohibit the operation of vehicles and may impose restrictions as to the weight or size of vehicles operated upon a highway or bridge whenever the highway or bridge, by reason of deterioration or rain, snow or other climatic conditions, may be damaged or destroyed unless the use of vehicles is prohibited or the permissible weights reduced.

(b) Permit with bond.--The department and local authorities may issue permits for movement of vehicles of size and weight in excess of the restrictions promulgated under subsection (a) with respect to highways and bridges under their jurisdiction, conditioned upon the execution of a surety bond by the user in favor of the department or local authorities to cover the cost of repairs necessitated by the movement.

(c) Restrictions from traffic conditions.--The department and local authorities with respect to highways and bridges under their jurisdictions may prohibit the operation of vehicles and may impose restrictions as to the weight or size of vehicles

1 operated upon a highway or bridge by reason of hazardous traffic
2 conditions or other safety factors.

3 (d) Erection of signs.--The department and the local
4 authorities shall erect or cause to be erected and maintained
5 signs designating the restrictions at each end of that portion
6 of any highway or bridge restricted as provided in subsections
7 (a) and (c). The restrictions shall not be effective unless
8 signs are erected and maintained in accordance with this
9 subsection.

10 (e) Penalty.--Any person operating a vehicle or combination
11 upon a highway or bridge in violation of a prohibition or
12 restriction imposed under subsection (a) is guilty of a summary
13 offense and shall, upon conviction, be sentenced to pay a fine
14 of \$75 for each 500 pounds, or part thereof, in excess of 3,000
15 pounds over the maximum allowable weight.

16 § 4903. Securing loads in vehicles.

17 (a) General rule.--No vehicle shall be driven or moved on
18 any highway unless the vehicle is so constructed or loaded as to
19 prevent any of its load from dropping, sifting, leaking or
20 otherwise escaping.

21 (b) Fastening load.--Every load on a vehicle shall be
22 fastened so as to prevent the load or covering from becoming
23 loose, detached or in any manner a hazard to other users of the
24 highway.

25 (c) Load of logs.--Every load of logs on a vehicle shall be
26 securely fastened with at least three binders, chains or straps
27 and, in the case of an open-body or stake-body vehicle, trailer
28 or semi-trailer there shall be a sufficient number of vertical
29 metal stakes or posts securely attached on each side of the
30 vehicle, trailer or semi-trailer at least as high as the top of

1 the load to secure such load in the event of a failure of the
2 binders, chains or straps.

3 (d) Establishment of standards for fastening devices.--The
4 department may promulgate regulations establishing minimum
5 standards governing types and numbers of devices to be used in
6 securing loads to prevent spillage and leakage of a load while
7 in transit.

8 (e) Exceptions.--This section does not prohibit:

9 (1) the necessary spreading of any substance in highway
10 maintenance or construction operations; or

11 (2) the shedding or dropping of feathers or other matter
12 from vehicles hauling live or slaughtered birds or animals.

13 § 4904. Limits on number of towed vehicles.

14 (a) General rule.--No motor vehicle shall be operated upon a
15 highway towing more than one other vehicle except as otherwise
16 provided in this section.

17 (b) Farm tractors.--Farm tractors may tow no more than two
18 other vehicles when engaged in agricultural operations.

19 (c) Towing vehicles requiring service.--A dolly not
20 exceeding ten feet in length may be towed by a motor vehicle for
21 the purpose of towing another vehicle requiring service.

22 (d) Driveaway-towaway operations.--Not more than three
23 truck-tractors, empty trucks or chassis therefor, may be towed
24 by a truck-tractor, truck or the chassis thereof, provided that
25 only the rear wheels of the drawn vehicles shall touch the road
26 surface.

27 § 4905. Safety requirements for towed vehicles.

28 (a) Connecting devices and distances.--When one vehicle is
29 towing another, the connection shall be of sufficient strength
30 to pull all weight towed. The distance between the vehicles

1 shall not exceed 15 feet except between any two vehicles
2 transporting poles, pipes, machinery or other objects of a
3 structural nature such that they cannot readily be dismembered.

4 (b) Red flags and lights.--If the distance between the
5 vehicles exceeds five feet, a red flag or cloth not less than 12
6 inches square shall be displayed upon the connection centered
7 between the vehicles. During hours of darkness a red light shall
8 be displayed at the same position in lieu of the flag or cloth.

9 (c) Deflection of trailer wheels.--Every trailer shall be
10 attached to the vehicle drawing it so as to prevent the wheels
11 of the trailer from deflecting more than six inches from the
12 path of the drawing vehicle's wheels.

13 (d) Safety chains.--Whenever two vehicles are connected by a
14 ball-and-socket type hitch, or pintle hook without a locking
15 device, they shall also be connected by two safety chains of
16 equal length, each safety chain having an ultimate strength at
17 least equal to the gross weight of the towed vehicles. The
18 safety chains shall be crossed and connected to the towed and
19 towing vehicle and to the tow bar so as to prevent the tow bar
20 from dropping to the ground in the event the tow bar fails or
21 becomes disconnected. The safety chains shall have no more slack
22 than is necessary to permit proper turning.

23 (e) Obstructed lighting equipment.--Whenever the rear
24 running lights, stop lights, turn signals or hazard warning
25 lights required by the provisions of Chapter 43 (relating to
26 lighting equipment) are obstructed by the load on a vehicle or
27 by a towed vehicle or its load, lighting equipment shall be
28 displayed on the rear of the towed vehicle or load equivalent to
29 the obstructed lights or signals.

30 § 4906. Fire apparatus.

1 This chapter does not apply to fire apparatus unless
2 specifically provided otherwise.

3 § 4907. Penalty for violation of chapter.

4 Any person violating any provision of this chapter for which
5 a penalty is not otherwise provided is guilty of a summary
6 offense and shall, upon conviction, be sentenced to pay a fine
7 of not less than \$50 nor more than \$100.

8 SUBCHAPTER B

9 WIDTH, HEIGHT AND LENGTH

10 Sec.

11 4921. Width of vehicles.

12 4922. Height of vehicles.

13 4923. Length of vehicles.

14 4924. Limitations on length of projecting loads.

15 4925. Width of projecting loads on passenger vehicles.

16 § 4921. Width of vehicles.

17 (a) General rule.--The total outside width of a vehicle,
18 including any load, shall not exceed eight feet except as
19 otherwise provided in this section.

20 (b) Farm vehicles.--Any implement of husbandry or vehicle
21 loaded with vegetable produce or forage crops and not exceeding
22 ten feet in width may operate between sunrise and sunset on
23 highways other than freeways.

24 (c) Buses.--Any bus operated wholly within a municipality,
25 where permitted by the municipality, or in more than one
26 municipality, where approved by the Public Utility Commission,
27 may have a total outside width not to exceed eight feet six
28 inches when operated upon a highway having traffic-lane widths
29 of not less than ten feet.

30 (d) Nondivisible loads.--Vehicles carrying nondivisible

1 loads not exceeding eight feet six inches in width may operate
2 on any highway having a roadway width of 20 feet or more. This
3 subsection does not apply on the National System of Interstate
4 and Defense Highways.

5 (e) Mirrors and sunshades.--Mirrors and sunshades may extend
6 beyond the maximum width of a vehicle as follows:

7 (1) Mirrors may extend on each side a maximum of six
8 inches beyond the width of the vehicle, trailer or load,
9 whichever is greater.

10 (2) Sunshades may extend a maximum of six inches on each
11 side of the vehicle.

12 (f) Exceptions.--The provisions of this subchapter governing
13 the width of vehicles do not apply to street sweepers and snow
14 removal equipment.

15 § 4922. Height of vehicles.

16 (a) General rule.--No vehicle, including any load, shall
17 exceed a height of 13 feet 6 inches. This provision shall not be
18 construed to require public authorities to provide sufficient
19 vertical clearance to permit the operation of such vehicles.

20 (b) Buses.--Any bus operated wholly within a municipality,
21 where permitted by the municipality, or in more than one
22 municipality, where approved by the Public Utility Commission,
23 may be of a total height, including load, not to exceed 14 feet
24 6 inches.

25 (c) Exceptions.--The provisions of this subchapter governing
26 the height of vehicles do not apply to fire apparatus or to
27 vehicles used exclusively to repair overhead lights and wires.

28 § 4923. Length of vehicles.

29 (a) General rule.--No motor vehicle, including any load and
30 bumpers, shall exceed an overall length of 40 feet, and no

1 combination, including any load and bumpers, shall exceed an
2 overall length of 55 feet.

3 (b) Exceptions.--The limitations of (a) do not apply to the
4 following:

5 (1) Any motor vehicle equipped with a boom or boom-like
6 device if the vehicle does not exceed 55 feet.

7 (2) The load on a combination designed exclusively for
8 carrying motor vehicles if the overall length of the
9 combination and load does not exceed 60 feet.

10 (3) Any combination transporting articles which do not
11 exceed 70 feet in length and are nondivisible as to length.

12 § 4924. Limitations on length of projecting loads.

13 (a) General rule.--Subject to the provisions of this
14 subchapter limiting the length of vehicles and loads, the load
15 upon any vehicle or the load upon the front vehicle of a
16 combination of vehicles shall not extend more than three feet
17 beyond the foremost part of the vehicle, and the load upon any
18 vehicle operated alone or the load, other than a non-divisible
19 load, upon the rear vehicle of a combination shall not extend
20 more than six feet beyond the rear of the bed or body of such
21 vehicle.

22 (b) Red flags and lights.--If the load on any vehicle
23 extends more than four feet beyond the rear of the vehicle, a
24 red flag or cloth not less than 12 inches square shall be
25 displayed at the end of the load. During hours of darkness, a
26 red light shall be displayed in the same position in lieu of the
27 flag or cloth.

28 (c) Compliance with maximum length limitations.--Subsection
29 (a) does not permit loads to exceed the maximum limits set forth
30 in section 4923 (relating to length of vehicles).

1 § 4925. Width of projecting loads on passenger vehicles.

2 (a) General rule.--No passenger-type vehicle shall be
3 operated on any highway with a load extending beyond the left
4 side of the vehicle nor extending more than 12 inches beyond the
5 right side of the vehicle.

6 (b) Exception.--This section does not apply to emergency
7 vehicles.

8 SUBCHAPTER C

9 MAXIMUM WEIGHTS OF VEHICLES

10 Sec.

11 4941. Maximum gross weight of vehicles.

12 4942. Registered gross weight.

13 4943. Maximum axle weight of vehicles.

14 4944. Maximum wheel load.

15 4945. Penalties for exceeding maximum weights.

16 4946. Impoundment of vehicles for nonpayment of overweight
17 fines.

18 4947. Disposition of impounded vehicles and loads.

19 4948. Maximum weight and seating capacity of buses.

20 § 4941. Maximum gross weight of vehicles.

21 (a) General rule.--No vehicle or combination shall, when
22 operated upon a highway, have a gross weight exceeding 73,280
23 pounds.

24 (b) Combination of vehicles.--No combination shall, when
25 operated upon a highway, have a gross weight exceeding the
26 following:

27		Maximum
28	Combination of vehicles	Gross Weight
29		In Pounds
30	Two-axle truck-tractor & single-axle semitrailer	50,000

1	Two-axle truck-tractor & two-axle semitrailer	60,000
2	Three-axle truck-tractor & single-axle semitrailer	60,000
3	Two-axle truck & two-axle trailer	62,000

4 § 4942. Registered gross weight.

5 (a) Single vehicle limits.--No vehicle registered as a
6 truck, a combination or a trailer shall be operated with a gross
7 weight in excess of its registered gross weight.

8 (b) Truck towing trailer.--No vehicle registered as a truck
9 shall be operated with a gross weight, exclusive of any trailer
10 being towed, in excess of its registered gross weight as a
11 truck.

12 (c) Combination.--No combination containing a trailer having
13 a registered gross weight in excess of 10,000 pounds shall be
14 operated with a gross weight in excess of the registered gross
15 weight of the truck or truck-tractor for a combination.

16 § 4943. Maximum axle weight of vehicles.

17 (a) General rule.--No motor vehicle or combination shall,
18 when operated upon a highway, have a weight upon each of two
19 adjacent axles in excess of the following:

20	If the Center-to-Center	Maximum Axle Weight in Pounds Upon:	
21	Distance Between Two		
22	Adjacent Axles is:	One of Two	Other of Two
23		Adjacent Axles	Adjacent Axles
24	Under 6 feet	18,000	18,000
25	6 to 8 feet	18,000	22,400
26	Over 8 feet	22,400	22,400

27 (b) Location of front axle of semitrailer.--No semitrailer,
28 originally in this Commonwealth on or after September 1, 1973,
29 and having two or more axles, shall be operated upon a highway
30 unless the foremost axle of the semitrailer is at least 12 feet

1 from the rearmost axle of the towing vehicle.

2 § 4944. Maximum wheel load.

3 No motor vehicle or combination shall, when operated upon a
4 highway, have a weight upon any one wheel in excess of 800
5 pounds for each nominal inch of width on the wheel.

6 § 4945. Penalties for exceeding maximum weights.

7 (a) Gross weight violations.--Any person operating a vehicle
8 or combination upon a highway exceeding the maximum gross weight
9 allowed by section 4941 (relating to maximum gross weight of
10 vehicles) or the registered gross weight allowed by section 4942
11 (relating to registered gross weight), whichever is less, is
12 guilty of a summary offense and shall, upon conviction, be
13 sentenced to pay a fine of \$75 plus \$75 for each 500 pounds, or
14 part thereof, in excess of 3,000 pounds over the maximum or
15 registered gross weight allowed. If the gross weight of any
16 vehicle or combination exceeds 73,280 pounds, the fine shall be
17 double the amount for other weight violations.

18 (b) Axle weight violation.--Subject to the provisions of
19 section 4982(c) (relating to reducing or readjusting loads of
20 vehicles), any person operating a vehicle or combination with a
21 weight on an axle or pair of axles exceeding the maximum axle
22 weights allowed by section 4943 (relating to maximum axle weight
23 of vehicles) is guilty of a summary offense and shall, upon
24 conviction, be sentenced to pay a fine of \$100 plus \$100 for
25 each 500 pounds, or part thereof, in excess of 2,000 pounds over
26 the maximum axle weight allowed.

27 (c) Wheel weight violation.--Any person operating a vehicle
28 or combination upon a highway exceeding the maximum wheel weight
29 allowed by section 4944 (relating to maximum wheel load) is
30 guilty of a summary offense and shall, upon conviction, be

1 sentenced to pay a fine of \$100 plus \$100 for each 200 pounds,
2 or part thereof, in excess of 200 pounds over the maximum wheel
3 weight allowed.

4 (d) Concurrent violations.--In any case in which there are
5 concurrent violations of more than one of the sections or
6 subsections of this subchapter prescribing maximum weights, the
7 only penalty imposed shall be for violation of that section or
8 subsection which produces the greatest fine.

9 § 4946. Impoundment of vehicles for nonpayment of overweight
10 fines.

11 (a) General rule.--Upon imposition of any fine and costs of
12 prosecution imposed pursuant to section 4945 (relating to
13 penalties for exceeding maximum weights), the driver shall be
14 allowed 24 hours to obtain the funds and pay the fine and costs
15 of prosecution, during which time the vehicle or combination
16 shall be rendered temporarily inoperative by such police officer
17 as the issuing authority shall designate. On default of payment
18 within the 24-hour period, the issuing authority shall impound
19 the vehicle or combination and order a police officer to seize
20 them.

21 (b) Storage.--Upon impoundment, the issuing authority shall
22 forthwith notify the sheriff of the county in which the
23 violation occurred, who shall store the impounded vehicle or
24 combination.

25 (c) Notice of impoundment.--The sheriff shall give immediate
26 notice by the most expeditious means and by certified mail,
27 return receipt requested, of the impoundment and location of the
28 vehicle or combination to the owner of the vehicle or
29 combination and to the owner of the load if the names and
30 addresses of the owner are known or can be ascertained by the

1 sheriff.

2 (d) Costs.--The police officer's and sheriff's costs,
3 reasonable storage costs and all other reasonable costs incident
4 to seizure and impounding under subsections (a) and (b) shall be
5 recoverable in addition to costs of prosecution.

6 § 4947. Disposition of impounded vehicles and loads.

7 (a) Rights of owner of load.--The title to the load on an
8 impounded vehicle or combination remains in the owner who may
9 repossess the load at any time upon presentation of proof of
10 ownership to the sheriff. If the load spoils during impoundment
11 the loss shall be on the owner subject to any right of recovery
12 of damages that the owner may have against the owner of the
13 vehicle or combination or against any other party, and the costs
14 of disposition of the load shall be recoverable in addition to
15 the costs of prosecution.

16 (b) Sale of unclaimed vehicle or load.--In case any
17 impounded vehicle or combination is unredeemed, or the load is
18 unclaimed, for a period of 60 days after notice of impoundment
19 is given, it shall be sold at a public sale by the sheriff upon
20 order of the issuing authority and after ten days notice of sale
21 to the owners, lienholders or secured parties of the vehicle or
22 load except that if the sheriff determines it to be necessary to
23 preserve their value, goods which may spoil may be sold in any
24 commercially reasonable manner prior to expiration of the 60 day
25 period and, if impractical to do so, without giving notice to
26 the owners, lienholders or secured parties.

27 (c) Disposition of proceeds of sale.--The proceeds of sale
28 shall first be applied to the payment of the fine and costs, and
29 secondly, to the payment of the encumbrances. The balance shall
30 be remitted to the owner.

1 § 4948. Maximum weight and seating capacity of buses.

2 (a) Gross, axle and wheel weights.--No bus shall be operated
3 upon any highway with a gross weight in excess of 40,000 pounds,
4 or in excess of 20,000 pounds on any axle, or in excess of 800
5 pounds on any one wheel for each nominal inch of width of tire
6 on the wheel.

7 (b) Seating capacity load.--A bus shall not be operated on a
8 highway with a load exceeding by more than 25% its registered
9 seating capacity except when operated within a business or
10 residence district. A child under the age of six years shall not
11 be counted when computing the load on the bus.

12 (c) Penalties.--Any person owning or operating a bus with a
13 gross weight or with weight on any axle or wheel exceeding by
14 more than 5% the maximum allowed in subsection (a) is guilty of
15 a summary offense and shall, upon conviction, be sentenced to
16 pay a fine of \$100. If the excess weight is more than 10% above
17 the maximum weight allowed, the fine shall be \$300. Any person
18 in violation of subsection (b) is guilty of a summary offense
19 and shall, upon conviction, be sentenced to pay a fine of not
20 less than \$50 nor more than \$100.

21 SUBCHAPTER D

22 SPECIAL PERMITS FOR EXCESSIVE SIZE AND WEIGHT

23 Sec.

24 4961. Authority to issue permits.

25 4962. Conditions of permits and security for damages.

26 4963. Exemptions for vehicles used in State highway
27 construction.

28 4964. Oral authorization following emergency or accident.

29 4965. Single permits for multiple highway crossings.

30 4966. Permit for movement of quarry equipment.

1 4967. Permit for movement of implements of husbandry.

2 4968. Permit for movement of equipment being manufactured.

3 4969. Permit for movement of vehicles with oversize wheels and
4 tires.

5 4970. Permit for movement of utility construction equipment.

6 § 4961. Authority to issue permits.

7 (a) General rule.--The department and local authorities with
8 respect to highways under their respective jurisdictions may,
9 upon application in writing showing good cause, issue special
10 permits in writing authorizing the applicant to operate or move
11 on specified highways any of the following:

12 (1) A vehicle which when unloaded exceeds the maximum
13 size specified in Subchapter B (relating to width, height and
14 length) or the maximum weights specified in Subchapter C
15 (relating to maximum weights of vehicles).

16 (2) A combination carrying a nondivisible load and
17 exceeding the maximum size specified in Subchapter B or the
18 maximum weights specified in Subchapter C.

19 (3) A vehicle containing a nondivisible load which
20 exceeds the maximum width specified in section 4921(a)
21 (relating to width of vehicles).

22 (4) A mobile home.

23 (b) Limitation for truck-tractors.--Permits to exceed the
24 maximum weight limit shall be issued only for truck-tractors
25 registered at the maximum weight permitted under section 4941
26 (relating to maximum gross weight of vehicles).

27 (c) County offices for issuing permits.--The department
28 shall empower an authorized representative or employee in each
29 county to issue permits as provided in subsection (a) and shall
30 provide a place within each county where the permits may be

1 issued.

2 § 4962. Conditions of permits and security for damages.

3 (a) General rule.--Permits may be conditioned by limiting
4 the number of trips or by establishing seasonal or other time
5 limitations or geographic limitations including limitations as
6 to prescribed highways or by otherwise limiting or prescribing
7 conditions of operation under the permit as the department or
8 local authorities shall deem necessary to protect the safety of
9 highway users, to promote the efficient movement of traffic or
10 to protect the highways. The department or local authorities may
11 require such undertaking or security as they deem necessary to
12 compensate for any damage to any highway or structure or
13 appurtenance.

14 (b) Display of permit.--Every permit shall be carried in the
15 towing vehicle and shall be open to inspection by any police
16 officer or authorized agent of the issuing agency or any person
17 having an accident involving a permitted vehicle or combination.

18 (c) Revocation of permit.--A permit shall be revocable for
19 cause.

20 (d) Special escort services.--The department or local
21 authorities shall specify what movements require special escort
22 services of the Pennsylvania State Police or department
23 personnel.

24 (e) Liability of permittee for damage.--The permittee shall
25 be liable for all damage to any highway structure or
26 appurtenance sustained as a result of operating or moving under
27 the permit.

28 § 4963. Exemptions for vehicles used in State highway
29 construction.

30 No special permit shall be required for movement across, upon

1 or along State or State-aid highways for oversize or overweight
2 vehicles of a contractor used for the construction or
3 improvement of such highways.

4 § 4964. Oral authorization following emergency or accident.

5 In the event of an emergency or accident affecting the public
6 safety or convenience, the department and local authorities may
7 orally authorize the operation or movement of a vehicle or
8 combination which exceeds the maximum size or weight specified
9 in this chapter provided a permit is applied for within 72 hours
10 of the operation or movement.

11 § 4965. Single permits for multiple highway crossings.

12 A single permit may be issued for a number of movements
13 across the highway at specified locations within a fixed period
14 of time of vehicles or combinations:

15 (1) exceeding the maximum size or weight specified in
16 this chapter; or

17 (2) used to cross a highway to get from one commercial
18 industrial facility to another commercial industrial facility
19 under the same operation.

20 Whenever a permit is issued for crossing the highway, it is
21 unlawful to move the vehicles along the highway.

22 § 4966. Permit for movement of quarry equipment.

23 An annual permit may be issued for the movement of a piece of
24 quarry equipment or machinery exceeding the maximum size or
25 weight specified in this chapter across any highway from one
26 part of a quarry to another, or upon the highways connecting by
27 the most direct route any quarries or portions of quarries under
28 single ownership or operation, but no permit shall be issued for
29 the movement of equipment or machinery for a distance greater
30 than one-half mile.

1 § 4967. Permit for movement of implements of husbandry.

2 An annual permit may be issued for the operation or movement
3 between sunrise and sunset of one or more oversized implements
4 of husbandry which do not exceed 14 feet 6 inches in width if
5 the movement is limited to a radius of 25 miles from the
6 dealer's place of business or owner's home or farm. No permit
7 shall be issued for the movement of any implement of husbandry
8 with a width in excess of eight feet upon a freeway.

9 § 4968. Permit for movement of equipment being manufactured.

10 An annual permit may be issued authorizing the manufacturer
11 of boats, mobile homes, helicopters, railway equipment and rails
12 or other articles or combinations not normally used on highways
13 to move articles which exceed the maximum height, width or
14 length specified in Subchapter B (relating to width, height and
15 length) while they are in the course of manufacture and while
16 they are entirely within the control of the manufacturer and not
17 in transit from the manufacturer to a purchaser or dealer. A
18 permit shall not be issued for the movement of articles upon a
19 freeway. Articles not in excess of ten feet in width may be
20 moved up to 50 miles on a permit. Larger articles may be moved
21 no farther than ten miles on a permit.

22 § 4969. Permit for movement of vehicles with oversize wheels
23 and tires.

24 An annual permit may be issued for the operation or movement
25 between sunrise and sunset of a vehicle containing wheels and
26 tires extending beyond the maximum width allowed in section
27 4921(a) (relating to width of vehicles) if the department
28 determines that such wheels and tires are essential to the
29 function for which the vehicle is designed or adapted and used.
30 The overall width of any vehicle permitted under this section,

1 including wheels and tires, shall not exceed ten feet.

2 § 4970. Permit for movement of utility construction equipment.

3 A permit may be issued for the duration of a single
4 construction project, but not exceeding one year, authorizing a
5 public utility or its contractors or subcontractors to move
6 oversized or overweight construction equipment across or upon
7 highways immediately adjacent to the construction site and
8 between the construction site and the base of operations of the
9 utility company, contractor or subcontractor.

10 SUBCHAPTER E

11 MEASURING AND ADJUSTING VEHICLE SIZE AND WEIGHT

12 Sec.

13 4981. Weighing and measurement of vehicles.

14 4982. Reducing or readjusting loads of vehicles.

15 4983. Penalty for violation of subchapter.

16 § 4981. Weighing and measurement of vehicles.

17 (a) Authority of police officer.--Any police officer is
18 authorized to require the driver of any vehicle or combination
19 to stop and submit the vehicle or combination to be measured and
20 weighed. Weighing may be done by using either portable or
21 stationary scales. The measurement and weighing shall be
22 conducted by qualified personnel who have been trained in the
23 use of weighing and measuring equipment in a training program
24 approved by the Department of Agriculture. A police officer may
25 require that a vehicle or combination be driven to the nearest
26 stationary scales if the scales are within two miles.

27 (b) Stationary scales on freeways.--The Department of
28 Transportation, in cooperation with the Pennsylvania State
29 Police, shall maintain on freeways at points which it deems
30 necessary stationary scales and other equipment for detecting

1 violations of the size and weight limitations prescribed by this
2 chapter. The department may also contract with local authorities
3 to use their stationary scales.

4 (c) Weighing of wheels or axles.--If a vehicle is weighed in
5 multiple drafts, or if only a single wheel or axle or pair of
6 axles is weighed, a tolerance of 1% shall be allowed.

7 (d) Re-weighing at request of driver or owner.--Whenever
8 scales operated by other than the department indicate that a
9 vehicle, wheel, axle or pair of axles is overweight, the driver
10 or owner may elect to have the vehicle re-weighed on the nearest
11 available official scales which have been sealed by the
12 Department of Agriculture. The lower reading of the two scales
13 shall determine whether charges shall be filed under this
14 section.

15 § 4982. Reducing or readjusting loads of vehicles.

16 (a) Violation of weight limitations.--If the gross weight or
17 the weight upon any wheel, tire, axle or group of axles of a
18 vehicle or combination exceeds the maximum allowed, the driver
19 shall reduce or readjust the load so that the gross weight and
20 the weight upon each wheel, tire, axle or group of axles will
21 not exceed the maximum weights permitted under this chapter.

22 (b) Violation of size limitations.--If the load upon any
23 vehicle or combination is such that the size limitations of this
24 chapter are exceeded, the driver shall reduce or reposition the
25 load so that it does not exceed the size limitations.

26 (c) Load adjustment to avoid prosecution.--If the gross
27 weight of the vehicle or combination does not exceed the maximum
28 allowable gross weight and the weight upon any axle or group of
29 axles is not more than 3% in excess of the maximum allowable
30 axle weight, the operator shall be allowed four hours to adjust

1 the position of the load so that the weight upon all wheels,
2 tires, axles and groups of axles does not exceed the maximum
3 allowable weights. If the load is so rearranged no arrest shall
4 be made or prosecution brought for violation of Subchapter C
5 (relating to maximum weights of vehicles).

6 (d) Load incapable of reduction.--If the load on any vehicle
7 or combination is such that it is incapable of reduction or
8 dismemberment and is otherwise eligible to move under permit as
9 provided in Subchapter D (relating to special permits for
10 excessive size and weight), a valid permit shall be obtained
11 before any further movement of a vehicle or combination in
12 violation of the limitations of this chapter.

13 (e) Responsibility of owner or driver.--All material
14 unloaded and any vehicle or combination parked awaiting a permit
15 shall be cared for by the owner or driver at the risk of the
16 owner or driver.

17 § 4983. Penalty for violation of subchapter.

18 Any driver who fails or refuses to comply with the
19 requirements of a police officer given pursuant to this
20 subchapter is guilty of a summary offense and shall, upon
21 conviction, be sentenced to pay a fine of \$100.

22 PART V

23 ADMINISTRATION AND ENFORCEMENT

24 Chapter

25 61. Powers of Department and Local Authorities

26 63. Enforcement.

27 65. Penalties and Disposition of Fines

28 67. Service of Process on Nonresidents

29 CHAPTER 61

30 POWERS OF DEPARTMENT AND LOCAL AUTHORITIES

1 Subchapter

2 A. General Provisions

3 B. Traffic-control Devices

4 C. Reciprocity

5 SUBCHAPTER A

6 GENERAL PROVISIONS

7 Sec.

8 6101. Applicability and uniformity of title.

9 6102. Powers and duties of department and local authorities.

10 6103. Promulgation of rules and regulations by department.

11 6104. Administrative duties of department.

12 6105. Department to prescribe traffic and engineering
13 investigations.

14 6106. Designation of emergency vehicles by Pennsylvania State
15 Police.

16 6107. Designation of authorized vehicles by department.

17 6108. Power of Governor during emergency.

18 6109. Specific powers of department and local authorities.

19 6110. Regulation of traffic on Pennsylvania Turnpike.

20 6111. Regulation of traffic on bridges under authority of
21 interstate commissions.

22 6112. Removal of traffic hazards by property owner.

23 6113. Control of public travel on private property
24 by owner.

25 6114. Limitation on sale, publication and disclosure of
26 records.

27 § 6101. Applicability and uniformity of title.

28 The provisions of this title shall be applicable and uniform
29 throughout this Commonwealth and in all political subdivisions
30 in this Commonwealth, and no local authority shall enact or

1 enforce any ordinance on a matter covered by the provisions of
2 this title unless expressly authorized.

3 § 6102. Powers and duties of department and local authorities.

4 (a) Department.--The department is charged with the duty of
5 administering the provisions of this title and of all laws the
6 administration of which is now or hereafter vested in the
7 department.

8 (b) Local authorities.--Local authorities may exercise the
9 powers granted in this chapter only by duly enacted ordinances
10 of their governing bodies.

11 § 6103. Promulgation of rules and regulations by department.

12 In addition to the specific powers granted to the department
13 by this title to promulgate rules and regulations, the
14 department shall have the power in accordance with the
15 provisions of the act of July 31, 1968 (P.L.769, No.240), known
16 as the "Commonwealth Documents Law," to promulgate, consistent
17 with and in furtherance of this title, rules and regulations in
18 accordance with which the department shall carry out its
19 responsibilities and duties under this title.

20 § 6104. Administrative duties of department.

21 (a) Forms.--The department shall prescribe and provide
22 suitable forms of applications, certificates of title,
23 registration cards, drivers' licenses and all other forms
24 requisite or deemed necessary to carry out the provisions of
25 this title and any other laws the administration of which is
26 vested in the department.

27 (b) Review of applications.--The department shall examine
28 and determine the genuineness, regularity and legality of every
29 application for registration of a vehicle, for a certificate of
30 title, and for a driver's license and of any other application

1 lawfully made to the department, and may in all cases make
2 investigation as may be deemed necessary or require additional
3 information, and shall reject any application if not satisfied
4 of the genuineness, regularity or legality of the application or
5 the truth of any statement contained in the application, or for
6 any other reason when authorized by law.

7 (c) Investigations.--The department may make necessary and
8 reasonable investigations to procure information required to
9 enforce the provisions of this title and department regulations.

10 (d) Retention of records.--The department shall promulgate
11 rules setting forth the minimum amount of time that must elapse
12 before the department may destroy records acquired, established
13 or maintained under this title.

14 (e) Furnishing documents and information.--The department
15 may supply copies of and information concerning registrations,
16 titles and security interests of vehicles and such statistical
17 data as it may deem to be in the public interest.

18 § 6105. Department to prescribe traffic and engineering
19 investigations.

20 The department may establish by regulation the manner in
21 which traffic and engineering investigations shall be carried
22 out. The department may specify particular actions which require
23 traffic and engineering investigations. No action shall become
24 effective until the investigation has been properly completed.

25 § 6106. Designation of emergency vehicles by Pennsylvania State
26 Police.

27 (a) General rule.--The Pennsylvania State Police may
28 designate any vehicle or group of vehicles as emergency vehicles
29 upon a finding that the designation is necessary to the
30 preservation of life or property or to the execution of

1 emergency governmental functions.

2 (b) Manner and carrying of designation.--The designation
3 shall be in writing and the written designation shall be carried
4 in the vehicle at all times, but failure to carry the written
5 designation shall not affect the status of the vehicle as an
6 emergency vehicle.

7 § 6107. Designation of authorized vehicles by department.

8 The department may designate any vehicle or group of vehicles
9 as authorized vehicles upon a finding that the vehicle is used
10 in the performance of public service or governmental functions.
11 Duly authorized vehicles shall be exempted from certain
12 provisions of this title as specified in regulations promulgated
13 by the department.

14 § 6108. Power of Governor during emergency.

15 In the event of a declared National, State or local emergency
16 when the Governor of this Commonwealth has made a specific
17 determination that modification of any of the provisions of this
18 title will aid in the alleviation of the stated emergency
19 conditions, the Governor shall have the power to so modify the
20 provisions on any or all highways in this Commonwealth to be
21 effective at any or all hours of the day or night with respect
22 to any or all types or classes of vehicles. Such modifications
23 shall expire at the end of the emergency period.

24 § 6109. Specific powers of department and local
25 authorities.

26 (a) Enumeration of police powers.--The provisions of this
27 title shall not be deemed to prevent the department on State-
28 designated highways and local authorities on streets or highways
29 within their physical boundaries from the reasonable exercise of
30 their police powers. The following are presumed to be reasonable

1 exercises of police power:

2 (1) Regulating or prohibiting stopping, standing or
3 parking.

4 (2) Regulating traffic by means of police officers or
5 official traffic-control devices.

6 (3) Regulating or prohibiting processions or assemblages
7 on highways.

8 (4) Designating particular highways or roadways for use
9 by traffic moving in one direction as authorized in section
10 3308 (relating to one-way roadways and rotary traffic
11 islands).

12 (5) Establishing speed limits for vehicles in public
13 parks.

14 (6) Designating any highway as a through highway or
15 designating any intersection or junction of roadways as a
16 stop or yield intersection or junction.

17 (7) Prohibiting or restricting the use of highways at
18 particular places or by particular classes of vehicles
19 whenever the highway or portion of the highway may be
20 seriously damaged by the use or the movement of the vehicles
21 would constitute a safety hazard.

22 (8) Regulating the operation of bicycles and requiring
23 their registration and inspection, and the payment of a
24 reasonable registration fee.

25 (9) Regulating or prohibiting the turning of vehicles or
26 specified types of vehicles as authorized in section 3331
27 (relating to required position and method of turning).

28 (10) Altering or establishing speed limits as authorized
29 in Subchapter F of Chapter 33 (relating to speed
30 restrictions).

1 (11) Enforcement of speed restrictions authorized under
2 Subchapter F of Chapter 33, except that speed restrictions
3 may be enforced by local police on a limited access or
4 divided highway only if it is patrolled by the local police
5 force under the terms of an agreement with the Pennsylvania
6 State Police.

7 (12) Designating no-passing zones as authorized in
8 section 3307 (relating to no-passing zones).

9 (13) Prohibiting or regulating the use of designated
10 streets by any class or kind of traffic.

11 (14) Establishing minimum speed limits as authorized in
12 section 3364 (relating to minimum speed regulation).

13 (15) Regulating and temporarily prohibiting traffic on
14 streets closed or restricted for construction, maintenance or
15 special events.

16 (16) Prohibiting pedestrians from crossing a roadway in
17 a business district or any designated highway except in a
18 crosswalk.

19 (17) Restricting pedestrian crossings at unmarked
20 crosswalks.

21 (18) Regulating persons propelling push carts.

22 (19) Regulating persons upon skates, coasters, sleds and
23 other toy vehicles.

24 (20) Adopting and enforcing such temporary or
25 experimental regulations as may be necessary to cover
26 emergencies or special conditions.

27 (21) Regulating the operation of streetcars, the passing
28 of streetcars by other vehicles and the driving upon
29 streetcar tracks by other vehicles.

30 (22) Providing for and establishing procedures governing

1 the removal and impounding of any vehicle parked on the
2 highways or public property of the local authority in
3 violation of any local ordinance adopted pursuant to the
4 authority of this title or of any of the provisions of this
5 title.

6 (23) Adopting such other traffic regulations as are
7 specifically authorized by this title.

8 (b) Action by local authorities.--Action taken by local
9 authorities under this section shall be:

10 (1) by ordinance of the local governing body; or

11 (2) by a commission or public official authorized to act
12 on specified matters.

13 (c) When traffic-control devices required.--No regulation or
14 ordinance enacted under subsection (a)(1), (4), (5), (6), (7),
15 (9), (10), (11), (12), (13), (14), (15), (16) or (21) shall be
16 effective until official traffic-control devices giving notice
17 of the traffic regulations or ordinances are erected upon or at
18 the entrances to the highway or part thereof affected as may be
19 most appropriate.

20 (d) Prior approval by department.--Notwithstanding the
21 provisions of subsection (a), the department may require local
22 authorities to obtain department approval in advance of
23 regulating traffic on State-designated highways within their
24 physical boundaries.

25 (e) Engineering and traffic investigation required.--Action
26 by local authorities under this section shall be taken only
27 after completing an engineering and traffic investigation when
28 and in such manner as required by regulations promulgated by the
29 department.

30 § 6110. Regulation of traffic on Pennsylvania Turnpike.

1 (a) General rule.--The provisions of this title apply upon
2 any turnpike or highway under the supervision and control of the
3 Pennsylvania Turnpike Commission unless specifically modified by
4 rules and regulations promulgated by the commission which shall
5 become effective only upon publication in accordance with law. A
6 copy of the rules and regulations, so long as they are
7 effective, shall be posted at all entrances to the turnpike or
8 highway for the inspection of persons using the turnpike or
9 highway. This section does not authorize the establishment of a
10 maximum speed limit greater than 55 miles per hour.

11 (b) Penalty.--Any person violating any of the rules and
12 regulations of the Pennsylvania Turnpike Commission for which no
13 penalty has otherwise been provided by statute is guilty of a
14 summary offense and shall, upon conviction, be sentenced to pay
15 a fine of \$25.

16 § 6111. Regulation of traffic on bridges under authority of
17 interstate commissions.

18 (a) General rule.--The provisions of this title apply to any
19 bridge under the supervision and control of the Delaware River
20 Joint Toll Bridge Commission, the Delaware River Port Authority
21 and the New York-Pennsylvania Joint Commission on Bridges over
22 the Delaware River unless specifically modified by rules and
23 regulations which shall become effective only upon publication
24 in accordance with law. Rules and regulations, so long as they
25 are effective, shall be posted at all entrances to the bridges.

26 (b) Penalty.--Any person violating any of the rules and
27 regulations of the Delaware River Joint Toll Bridge Commission,
28 the Delaware River Port Authority or the New York-Pennsylvania
29 Joint Commission on Bridges over the Delaware River for which no
30 penalty has otherwise been provided by statute is guilty of a

1 summary offense and shall, upon conviction, be sentenced to pay
2 a fine of \$25.

3 § 6112. Removal of traffic hazards by property owner.

4 (a) General rule.--It is the duty of the owner of real
5 property to remove from the property any tree, plant, shrub or
6 other similar obstruction, or part thereof, which by obstructing
7 the view of any driver constitutes a traffic hazard.

8 (b) Notice of hazard.--When the department or any local
9 authority determines on the basis of an engineering and traffic
10 investigation that a traffic hazard exists, it shall notify the
11 owner and order the hazard removed within ten days.

12 (c) Penalty.--The failure of the owner to remove the traffic
13 hazard within ten days after notice under subsection (b) is a
14 summary offense and every day the owner fails to remove it shall
15 be a separate and distinct offense. The offense is punishable by
16 a fine of \$10.

17 § 6113. Control of public travel on private property by owner.

18 Nothing in this title shall be construed to prevent the owner
19 of real property used by the public for purposes of vehicular
20 travel by permission of the owner, and not as a matter of right,
21 from prohibiting such use, or from requiring other or different
22 or additional conditions than those specified in this title, or
23 otherwise regulating such use as may seem best to such owner.

24 § 6114. Limitation on sale, publication and disclosure of
25 records.

26 (a) Offenses defined.--It is unlawful for:

27 (1) Any police officer, or any officer, employee or
28 agent of any Commonwealth agency or local authority which
29 makes or receives records or reports required to be filed
30 under this title to sell, publish or disclose or offer to

1 sell, publish or disclose records or reports which relate to
2 the driving record of any person.

3 (2) Any person to purchase, secure or procure or offer
4 to purchase, secure or procure records or reports described
5 in paragraph (1).

6 (b) Exceptions.--This section does not apply to records or
7 reports:

8 (1) Required or authorized under this title to be sold,
9 published or disclosed.

10 (2) Authorized in writing by the person who is the
11 subject of the record or report to be sold, published or
12 disclosed. A police officer, or officer, employee or agent of
13 a Commonwealth agency or local authority may rely on a
14 certification from a person requesting a record or report
15 under this paragraph that its sale, publication or disclosure
16 has been authorized by the person who is the subject of the
17 record or report. In the event such sale, publication or
18 disclosure shall not have been authorized, the person who
19 made the false certification, rather than the police officer
20 or officer, employee or agent of the Commonwealth agency or
21 local authority, shall be guilty of the offense defined by
22 this section.

23 (3) Required to be released by order of court.

24 (4) Authorized by departmental regulation to be sold,
25 published or disclosed to any Federal, State or local
26 governmental agency for the sole purpose of exercising a
27 legitimate governmental function or duty. Such records or
28 reports shall not be resold, published or disclosed by the
29 receiving agency for any commercial purpose nor without prior
30 departmental approval.

1 (5) Purchased by a person who, in compliance with the
2 Fair Credit Reporting Act (84 Stat. 1127-1136, 15 U.S.C. §
3 1601 et seq.), has filed with the department an affidavit, in
4 form acceptable to the department, certifying the intended
5 use of said record or reports.

6 (c) Penalty.--Any offense under this section is a summary
7 offense punishable by a fine of \$100.

8 SUBCHAPTER B

9 TRAFFIC-CONTROL DEVICES

10 Sec.

11 6121. Uniform system of traffic-control devices.

12 6122. Authority to erect traffic-control devices.

13 6123. Erection of traffic-control devices while working.

14 6124. Erection of traffic-control devices at intersections.

15 6125. Display of unauthorized signs, signals or markings.

16 6126. Interference with devices, signs or signals.

17 6127. Dealing in nonconforming traffic-control devices.

18 § 6121. Uniform system of traffic-control devices.

19 The department shall publish a manual for a uniform system of
20 traffic-control devices consistent with the provisions of this
21 title for use upon highways within this Commonwealth. The
22 uniform system shall correlate with and so far as possible
23 conform to the system set forth in the most recent edition of
24 the Manual on Uniform Traffic Control Devices for Streets and
25 Highways and other standards issued or endorsed by the Federal
26 Highway Administrator, United States Department of
27 Transportation.

28 § 6122. Authority to erect traffic-control devices.

29 (a) General rule.--The department on State-designated
30 highways and local authorities on any highway within their

1 boundaries may erect official traffic-control devices, which
2 shall be installed and maintained in conformance with the manual
3 and regulations published by the department upon all highways as
4 required to carry out the provisions of this title or to
5 regulate, restrict, direct, warn, prohibit or guide traffic.

6 (1) Local authorities shall obtain approval of the
7 department prior to erecting an official traffic-control
8 device on a State-designated highway except where department
9 regulations provide otherwise.

10 (2) Local authorities shall obtain approval of the
11 department prior to erecting any traffic signal except in a
12 municipality with a traffic engineer qualified in accordance
13 with department regulations.

14 (b) Standards for department approval.--The department shall
15 promulgate rules and regulations setting forth minimum standards
16 and factors to be considered in determining whether approval
17 shall be given by the department for the installation and
18 maintenance of official traffic-control devices. The factors
19 shall include, but not be limited to, the volume of traffic and
20 the number of accidents that occurred in each of the three
21 preceding years.

22 (c) Agreements to waive department approval.--The department
23 may enter into agreements with local authorities transferring to
24 them the authority to install official traffic-control devices
25 without specific State approval provided they conduct traffic
26 and engineering investigations which conform with the rules and
27 regulations promulgated by the department.

28 (d) Signals on municipal boundaries.--Whenever the need
29 arises for the installation of a traffic-control signal on or
30 near the boundary of two political subdivisions adjoining each

1 other so as to be beneficial to both, either may petition the
2 department for authority to install the signal. If the political
3 subdivisions cannot amicably agree upon an allocation of the
4 costs of installation and maintenance of the signal, either may
5 petition the court of common pleas of the county in which the
6 traffic-control signal is to be installed within 90 days after
7 receiving the approval of the department and the court shall
8 determine the proper allocation of the expenses to be incurred.
9 The political subdivision that originated the request to the
10 department shall install the traffic-control signal within 90
11 days of the date of the court order or of an amicable agreement
12 between the political subdivisions.

13 § 6123. Erection of traffic-control devices while working.

14 Any person performing any work on or near the roadway which
15 may create hazards shall erect traffic-control devices in
16 accordance with the rules and regulations of the department for
17 the maintenance and protection of traffic.

18 § 6124. Erection of traffic-control devices at intersections.

19 The department on State-designated highways, including
20 intersections with local highways, and local authorities on
21 intersections of highways under their jurisdiction may erect and
22 maintain stop signs, yield signs or other official traffic-
23 control devices to designate through highways or to designate
24 intersections at which vehicular traffic on one or more of the
25 roadways should yield or stop and yield before entering the
26 intersection.

27 § 6125. Display of unauthorized signs, signals or markings.

28 (a) General rule.--No person shall place, maintain or
29 display upon or in view of any highway any unauthorized sign,
30 signal, marking or device which purports to be or is an

1 imitation of or resembles an official traffic-control device or
2 which attempts to direct the movement of traffic, or which hides
3 from view or interferes with the effectiveness of an official
4 traffic-control device.

5 (b) Commercial advertising on signs or signals.--No person
6 shall place or maintain nor shall any public authority permit
7 upon any highway any official traffic-control device containing
8 any commercial advertising except for business signs included as
9 a part of official motorist service panels or roadside area
10 information panels approved by the department.

11 (c) Removal as public nuisance.--Every prohibited sign,
12 signal or marking is declared to be a public nuisance and the
13 authority having jurisdiction over the highway may remove the
14 same or cause it to be removed immediately at the reasonable
15 expense of the person placing, maintaining or displaying the
16 sign, signal or marking.

17 § 6126. Interference with devices, signs or signals.

18 No person shall, without lawful authority, attempt to or in
19 fact, alter, twist, obstruct, deface, injure, knock down, remove
20 or interfere with the effective operation of any official
21 traffic-control device, or any railroad sign or signal, or any
22 inscription, shield or insignia thereon or any other part
23 thereof.

24 § 6127. Dealing in nonconforming traffic-control devices.

25 (a) General rule.--It is unlawful for any person to
26 manufacture, sell, offer for sale or to lease for use on the
27 highway any traffic-control device unless it has been approved
28 and is in accordance with department rules and regulations.

29 (b) Penalty.--Any person violating this section is guilty of
30 a summary offense and shall, upon conviction, be sentenced to

1 pay a fine of not less than \$100 nor more than \$500.

2 SUBCHAPTER C

3 RECIPROCITY

4 Sec.

5 6141. Declaration of policy.

6 6142. Reciprocity agreements, arrangements and declarations
7 authorized.

8 6143. Benefits, privileges and exemptions from taxes and fees.

9 6144. Vehicle registration and licensing.

10 6145. Proportional registration of fleet vehicles.

11 6146. Enforcement agreements.

12 6147. Declaration of reciprocity in absence of agreement.

13 6148. Applicability to leased vehicles.

14 6149. Automatic reciprocity.

15 6150. Proportional registration not exclusive.

16 6151. Suspension of reciprocity benefits.

17 6152. Form, publication and distribution of documents.

18 6153. Existing reciprocity agreements unaffected.

19 § 6141. Declaration of policy.

20 It is the policy of this Commonwealth to promote and
21 encourage the fullest possible use of its highway system by
22 authorizing the making and execution of reciprocal agreements,
23 arrangements and declarations with other states, provinces,
24 territories and countries with respect to drivers, licensed and
25 vehicles registered in this and other states, provinces,
26 territories and countries, thus contributing to the economic and
27 social development and growth of this Commonwealth.

28 § 6142. Reciprocity agreements, arrangements and declarations
29 authorized.

30 The secretary may execute or make agreements, arrangements

1 and declarations to carry out the provisions of this section and
2 may amend and terminate the agreements, arrangements and
3 declarations.

4 § 6143. Benefits, privileges and exemptions from taxes and
5 fees.

6 The secretary may enter into an agreement or arrangement with
7 the duly authorized representatives of other jurisdictions,
8 granting to drivers or vehicles or owners of vehicles properly
9 licensed or registered in those jurisdictions, and for which
10 evidence of compliance is supplied, benefits, privileges and
11 exemptions from the payment, wholly or partially, of any taxes,
12 fees or other charges imposed upon the drivers, vehicles or
13 owners with respect to the operation or ownership of the
14 vehicles under the laws of this Commonwealth. The agreement or
15 arrangement shall provide that drivers or vehicles properly
16 licensed or registered in this Commonwealth, when operating upon
17 highways of the other jurisdiction, shall receive exemptions,
18 benefits and privileges of a similar kind or to a similar degree
19 as are extended to drivers or vehicles properly licensed or
20 registered in the jurisdiction when operating in this
21 Commonwealth. Each agreement or arrangement shall, in the
22 judgment of the secretary, be in the best interest of this
23 Commonwealth and the citizens thereof and shall be fair and
24 equitable to this Commonwealth and the citizens thereof, and
25 shall be determined on the basis and recognition of the benefits
26 which accrue to the economy of this Commonwealth from the
27 uninterrupted flow of commerce.

28 § 6144. Vehicle registration and licensing.

29 An agreement or arrangement entered into, or a declaration
30 issued, under this subchapter may contain provisions authorizing

1 the registration or licensing in another jurisdiction of
2 vehicles located in or operated from a base in the other
3 jurisdiction which vehicles otherwise would be required to be
4 registered or licensed in this Commonwealth. In such event, the
5 exemptions, benefits and privileges extended by the agreement or
6 declaration shall apply to the vehicles when properly licensed
7 or registered in the base jurisdiction.

8 § 6145. Proportional registration of fleet vehicles.

9 If any jurisdiction permits or requires the licensing of
10 fleets of vehicles in interstate or combined interstate and
11 intrastate commerce and payment of registration fees, license
12 taxes or other fixed fees on an apportionment basis commensurate
13 with and determined by the miles traveled on and the use made of
14 the jurisdiction's highways, as compared with the miles traveled
15 on and the use made of another jurisdiction's highways or any
16 other equitable basis of apportionment, and exempts vehicles
17 registered in other jurisdictions under such apportionment basis
18 from the requirements of full payment of its own registration,
19 license or other fixed fees, then the secretary may, by
20 agreement, adopt the exemption with respect to vehicles of such
21 fleets, whether owned by residents or nonresidents of this
22 Commonwealth and regardless of where based. The agreements,
23 under such terms, conditions or restrictions as the secretary
24 deems proper, may provide that owners of vehicles operated in
25 interstate or combined interstate and intrastate commerce in
26 this Commonwealth shall be permitted to pay registration,
27 license or other fixed fees on an apportionment basis,
28 commensurate with and determined by the miles traveled or the
29 use made of the highways of this Commonwealth as compared with
30 the use made of the highways of other jurisdictions or any other

1 equitable basis of apportionment. No agreement shall authorize,
2 or be construed as authorizing, any vehicle so registered to be
3 operated in intrastate commerce in this Commonwealth unless the
4 owner has been granted intrastate authority or rights by the
5 Pennsylvania Public Utility Commission if such grant is
6 otherwise required by law. The secretary may adopt and
7 promulgate such rules and regulations as deemed necessary to
8 effectuate and administer the provisions of this section, and
9 the registration of fleet vehicles under this subchapter shall
10 be subject to the rights, terms and conditions granted by or
11 contained in any applicable agreement, arrangement or
12 declaration made by the secretary.

13 § 6146. Enforcement agreements.

14 The secretary may enter into agreements relating to
15 enforcement of this title including, but not limited to,
16 agreements to notify any state of violations incurred by
17 residents of that state and to take measures to assure payment
18 of fines or attendance at hearings by persons charged with
19 violations.

20 § 6147. Declaration of reciprocity in absence of agreement.

21 In the absence of an agreement or arrangement with another
22 jurisdiction, the secretary may examine the laws and
23 requirements of such jurisdiction and declare the extent and
24 nature of exemptions, benefits and privileges to be extended to
25 vehicles properly registered or licensed in the other
26 jurisdiction, or to the owners of the vehicles, which shall, in
27 the judgment of the secretary, be in the best interest of this
28 Commonwealth and the citizens thereof, and which shall be fair
29 and equitable to this Commonwealth and the citizens thereof, and
30 shall be determined on the basis and recognition of the benefits

1 which accrue to the economy of this Commonwealth from the
2 uninterrupted flow of commerce.

3 § 6148. Applicability to leased vehicles.

4 An agreement or arrangement entered into, or a declaration
5 issued, under the authority of this subchapter may contain
6 provisions under which a leased vehicle properly registered by
7 the lessor may be entitled, subject to terms and conditions
8 stated therein, to the exemptions, benefits and privileges
9 extended by such agreement, arrangement or declaration.

10 § 6149. Automatic reciprocity.

11 If no agreement, arrangement or declaration is in effect with
12 respect to another jurisdiction as authorized by this
13 subchapter, any vehicle properly registered or licensed in the
14 other jurisdiction, and for which evidence of compliance is
15 supplied, shall receive, when operated in this Commonwealth, the
16 same exemptions, benefits and privileges granted by the other
17 jurisdiction to vehicles properly registered in this
18 Commonwealth.

19 § 6150. Proportional registration not exclusive.

20 Nothing contained in this subchapter relating to proportional
21 registration of fleet vehicles shall be construed as requiring
22 any vehicle to be proportionally registered if the vehicle is
23 otherwise registered in this Commonwealth for the operation in
24 which it is engaged including, but not by way of limitation,
25 regular registration, temporary registration, or trip permit or
26 registration.

27 § 6151. Suspension of reciprocity benefits.

28 Agreements, arrangements or declarations made under authority
29 of this subchapter may include provisions authorizing the
30 department to suspend or cancel the exemptions, benefits or

1 privileges granted to a person who violates any of the
2 conditions or terms of such agreements, arrangements or
3 declarations or who violates the laws or regulations of this
4 Commonwealth related to motor vehicles.

5 § 6152. Form, publication and distribution of documents.

6 All agreements, arrangements and declarations, and amendments
7 thereto, shall be in writing and shall be published in
8 compliance with the act of July 31, 1968 (P.L.769, No.240),
9 known as the "Commonwealth Documents Law." The department shall
10 provide copies for public distribution upon request.

11 § 6153. Existing reciprocity agreements unaffected.

12 All reciprocity and proportional registration agreements,
13 arrangements and declarations relating to vehicles, in force and
14 effect at the time this subchapter becomes effective, shall
15 continue in full force and effect until specifically amended or
16 revoked by the secretary.

17 CHAPTER 63

18 ENFORCEMENT

19 Subchapter

20 A. General Provisions

21 B. Records of Traffic Cases

22 C. Evidentiary Matters

23 SUBCHAPTER A

24 GENERAL PROVISIONS

25 Sec.

26 6301. Prosecutions under local ordinances superseded by title.

27 6302. Limitation of actions for summary offenses.

28 6303. Rights and liabilities of minors.

29 6304. Authority to arrest without warrant.

30 6305. Arrest of nonresident.

1 6306. Costs for summary offenses.

2 6307. Liability for costs not paid by defendant.

3 6308. Investigation by police officers.

4 § 6301. Prosecutions under local ordinances superseded by
5 title.

6 When the same conduct is prescribed under this title and a
7 local ordinance, the charge shall be brought under this title
8 and not under the local ordinance. Prosecutions brought under
9 any local ordinance, rule or regulation, which are based on a
10 violation for which there is a specific penalty provided in this
11 title, except for overtime parking, shall be deemed as having
12 been brought under this title and the assessment disposition of
13 the fines and forfeitures shall be so governed. Local ordinances
14 regulating overtime parking shall prescribe fines for
15 violations.

16 § 6302. Limitation of actions for summary offenses.

17 (a) General rule.--Except as provided in subsection (b) or
18 (c), proceedings for summary offenses under this title shall be
19 instituted within 30 days after the commission of the alleged
20 offense or within 30 days after the discovery of the commission
21 of the offense or the identity of the offender, whichever is
22 later, and not thereafter.

23 (b) Minor offenses.--Except as provided in subsection (c),
24 proceedings for summary offenses under the following provisions
25 shall be instituted within 15 days after the commission of the
26 alleged offense or within 15 days after the discovery of the
27 commission of the offense or the identity of the offender,
28 whichever is later, and not thereafter:

29 Chapter 31 (relating to general provisions)

30 Chapter 33 (relating to rules of the road in general)

Chapter 35 (relating to special vehicles and pedestrians)
Subchapters A and C of Chapter 37 (relating to
miscellaneous provisions)

(c) Exception.--Where proceedings are timely instituted against a person reasonably believed to have committed the offense charged and it subsequently appears that a person other than the person charged is the offender, proceedings may be instituted against the other person within 30 or 15 days, whichever is applicable, after the identity of the person is discovered and not thereafter.

(d) Local ordinances on overtime parking.--Local ordinances pertaining to overtime parking shall be subject to the provisions of this section.

(e) Disposition of proceedings within two years.--In no event shall any proceedings be held or action taken pursuant to a summary offense under this title subsequent to two years after the commission of the offense.

§ 6303. Rights and liabilities of minors.

Any person over the age of 16 years charged with the violation of any provisions of this title constituting a summary offense shall have all the rights of an adult and may be prosecuted under the provisions of this title in the same manner as an adult.

§ 6304. Authority to arrest without warrant.

(a) Pennsylvania State Police.--A member of the Pennsylvania State Police who is in uniform may arrest without a warrant any person who violates any provision of this title in the presence of the police officer making the arrest.

(b) Other police officers.--Any police officer who is in uniform may arrest without a warrant any nonresident who

1 violates any provision of this title in the presence of the
2 police officer making the arrest.

3 (c) Other powers preserved.--The powers of arrest conferred
4 by this section are in addition to any other powers of arrest
5 conferred by law.

6 § 6305. Arrest of nonresident.

7 (a) General rule.--Upon arrest of a nonresident for any
8 violation of this title, a police officer shall escort the
9 defendant to the appropriate issuing authority for a hearing,
10 posting of bond or payment of the applicable fine and costs,
11 unless the defendant chooses to place the amount of the
12 applicable fine (or the maximum fine in the case of a variable
13 fine) and costs in a stamped envelope addressed to the
14 appropriate issuing authority and mails the envelope in the
15 presence of the police officer.

16 (b) Procedure upon payment by mail.--If the defendant mails
17 the amount of the fine prescribed in subsection (a), the
18 defendant shall indicate on an accompanying form whether the
19 payment constitutes a fine based on a plea of guilty or a bond
20 for a hearing based on a plea of not guilty. If the plea is not
21 guilty, the police officer shall notify the issuing authority by
22 telephone and the issuing authority shall schedule a hearing for
23 the following day (excluding Saturdays, Sundays and legal
24 holidays), unless the defendant requests a continuance, in which
25 case a hearing shall be scheduled to accommodate the defendant,
26 the police officer and the issuing authority.

27 (c) Form of payment.--The amount of the fine and costs may
28 be paid in cash, personal or other check, credit card or
29 guaranteed arrest bond, except that the Court Administrator of
30 Pennsylvania may enlarge or restrict the types of payment which

1 may be made by mail.

2 (d) Receipt for payment.--The police officer shall give the
3 defendant a receipt for the payment, a copy of which shall be
4 mailed with the payment and a copy retained by the police
5 officer.

6 § 6306. Costs for summary offenses.

7 (a) General rule.--Except as provided in subsection (b), any
8 person convicted of a summary offense under this title shall, in
9 addition to the fine imposed, be sentenced to pay \$10 as costs
10 of the issuing authority which costs shall include all charges
11 including, when called for, the costs of postage and registered
12 or certified mail and the costs of giving a transcript to the
13 prosecutor or defendant, or both, if requested.

14 (b) Conviction after hearing.--Where the person charged with
15 a summary offense under this title demands a hearing, the costs
16 of the issuing authority shall be \$15, which costs shall include
17 all charges including the charges specified in subsection (a).

18 § 6307. Liability for costs not paid by defendant.

19 In any case of prosecution under the provisions of this title
20 in which the defendant is found not guilty or for any other
21 reason costs are not recovered from the defendant, all costs of
22 prosecution shall be paid by the county.

23 § 6308. Investigation by police officers.

24 (a) Duty of operator or pedestrian.--The operator of any
25 vehicle or any pedestrian reasonably believed to have violated
26 any provision of this title shall stop upon request or signal of
27 any police officer and shall, upon request, exhibit a
28 registration card, driver's license and proof of insurance, or
29 other means of identification if a pedestrian or driver of a
30 bicycle, and shall write their name in the presence of the

1 police officer if so required for the purpose of establishing
2 identity.

3 (b) Authority of police officer.--Any police officer may
4 stop a vehicle, upon request or signal, for the purpose of
5 inspecting the vehicle as to its equipment and operation, or
6 vehicle identification number or engine number, or to secure
7 such other information as the officer may reasonably believe to
8 be necessary to enforce the provisions of this title.

9 (c) Inspection of garages and dealer premises.--Any police
10 officer or authorized department employee may inspect any
11 vehicle in any public garage or repair shop or on the premises
12 of any dealer, salvor, scrap metal processor, or other public
13 place of business for the purpose of locating stolen vehicles or
14 parts. The owner of the garage or repair shop or the dealer or
15 other person shall permit any police officer or authorized
16 department employee to make investigations under this
17 subsection.

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 6327. Inspection of records.

28 § 6321. Records of issuing authorities.

29 (a) General rule.--Every issuing authority shall keep or
30 cause to be kept for a period of three years a record of every

1 traffic complaint, traffic citation or other legal form of
2 traffic charge deposited with or presented to the issuing
3 authority.

4 (b) Contents of record.--The record of the issuing authority
5 shall include, but not be limited to, an exact record of the
6 proceedings, the section and subsection violated, the
7 conviction, forfeiture of bail, judgment of acquittal and the
8 amount of fine or forfeiture resulting from every traffic
9 complaint or citation deposited with or presented to the issuing
10 authority.

11 (c) Receipt for payment of fine.--The issuing authority
12 shall deliver, without charge, to the defendant a receipt
13 showing in detail the section and subsection violated and the
14 amount of fine and costs imposed and paid.

15 § 6322. Reports by issuing authorities.

16 (a) General rule.--Following the fifteenth and last days of
17 each month, every issuing authority shall prepare a statement,
18 upon forms prescribed and furnished by the department, of all
19 fines collected, bail forfeited, sentence imposed and final
20 disposition for all cases on violations of any provisions of
21 this title decided by the issuing authority in the semi-monthly
22 reporting period just concluded. The statement shall be
23 certified by the issuing authority to be true and correct and
24 shall be forwarded to the department within the following week,
25 with a copy sent to the police department which filed the
26 charge. The fines and bail forfeited shall accompany the report
27 to the department.

28 (b) Contents of report.--The report shall include the
29 identifying number of the citation, the name and residence
30 address of the party charged, the driver's license number, the

1 registration number of the vehicle involved, a description of
2 the offense, the section and subsection of the statute or
3 ordinance violated, the date of hearing, the plea, the judgment
4 or whether bail was forfeited, clear and concise reasons
5 supporting the adjudication, the sentence or amount of
6 forfeiture and such other information as the department may
7 require.

8 (c) Use of reports by department.--The department shall
9 promptly enter the information contained in the reports in the
10 records of the persons involved in order to effect swift
11 execution of the provisions of Subchapter B of Chapter 15
12 (relating to a comprehensive system for driver education and
13 control).

14 § 6323. Reports by courts of record.

15 The clerk of any court of record of this Commonwealth, within
16 ten days after final judgment of conviction or acquittal or
17 other disposition of charges under any of the provisions of this
18 title, shall send to the department a record of the judgment of
19 conviction, acquittal or other disposition. A record of the
20 judgment shall also be forwarded to the department upon
21 conviction or acquittal of a person of a felony in the
22 commission of which the judge determines that a motor vehicle
23 was essentially involved. The fines and bail forfeited shall
24 accompany the record sent to the department.

25 § 6324. Failure to comply with provisions of subchapter.

26 (a) General rule.--Failure, refusal or neglect of any
27 issuing authority or clerk of court to comply with any of the
28 requirements of this subchapter is a summary offense punishable:

29 (1) For a first offense, by a fine of \$100.

30 (2) For a subsequent offense, by a fine of not less than

2 (b) Removal from office.--Conviction shall be grounds for
3 removal from office.

4 § 6325. Department records.

5 The department shall file all reports and records received
6 under the provisions of this subchapter and shall maintain
7 suitable records or facsimiles of the records.

8 § 6326. Traffic citation forms.

9 (a) Issuance by department.--The department shall be
10 responsible for the issuance of traffic citation forms in
11 conformance with the Pennsylvania Rules of Criminal Procedure.
12 The citation form shall indicate, as additional information the
13 number of points, if any, to be assessed by the department upon
14 a plea of guilty or conviction. Failure of any person to provide
15 and complete such additional information shall not affect the
16 validity of the citation or a prosecution commenced thereby. The
17 department shall maintain a record of all citations issued and
18 shall require and retain a receipt.

19 (b) Use of department forms mandatory.--All traffic
20 citations issued in this Commonwealth, except for overtime
21 parking, shall be upon forms issued by the department under
22 subsection (a). The department shall provide the forms to local
23 police departments at cost.

24 (c) Accounting for forms.--The chief administrative officer
25 of every police department or traffic enforcement agency shall
26 require the return of a copy of every traffic citation issued by
27 every officer under their supervision to an alleged violator and
28 of all copies spoiled.

29 § 6327. Inspection of records.

30 The records of the issuing authority, department and each

1 police department required under this subchapter shall be open
2 for inspection by any police officer or authorized employee of
3 the department, the Department of Justice, the Department of
4 Revenue, the Auditor General and the Court Administrator of the
5 Supreme Court.

6 SUBCHAPTER C

7 EVIDENTIARY MATTERS

8 Sec.

9 6341. Admissibility of copies of records as evidence.

10 6342. Registration number as prima facie evidence of operation.

11 § 6341. Admissibility of copies of records as evidence.

12 All copies, including photostatic copies and microfilm
13 reproductions, of records, books, papers, documents and rulings
14 of the department, when certified under and bearing the seal of
15 the department by its duly authorized agent, shall be acceptable
16 as evidence in the courts of this Commonwealth with the same
17 force and effect as the originals in all cases where the
18 original records, books, papers, documents and ruling would be
19 admitted in evidence.

20 § 6342. Registration number as prima facie evidence of
21 operation.

22 (a) General rule.--In any proceeding for a violation of the
23 provisions of this title or any local ordinance, rule or
24 regulation, the registration plate displayed on a vehicle shall
25 be prima facie evidence that the owner of the vehicle was then
26 operating the vehicle.

27 (b) Burden shifted by testimony of owner.--If at any hearing
28 or proceeding the owner testifies under oath or affirmation that
29 the owner was not operating the vehicle at the time of the
30 alleged violation and submits to an examination as to who at the

1 time was operating the vehicle and reveals the name of the
2 person, if known, then the prima facie evidence arising from the
3 registration plate shall be overcome and removed and the burden
4 of proof shifted.

5 (c) Burden shifted by affidavit of owner.--If the
6 information is made in a county other than that of the owner's
7 own residence and an affidavit setting forth these facts is
8 forwarded to the issuing authority, the prima facie evidence
9 arising from the registration plate shall be overcome and the
10 burden of proof shifted.

11 CHAPTER 65

12 PENALTIES AND DISPOSITION OF FINES

13 Sec.

14 6501. Definition of conviction.

15 6502. Summary offenses.

16 6503. Subsequent convictions of certain offenses.

17 6504. Inability to pay fine and costs.

18 6505. Disposition of fines and forfeitures.

19 § 6501. Definition of conviction.

20 (a) General rule.--For the purposes of this title a
21 conviction includes a plea of guilty, a plea of nolo contendere,
22 a finding of guilty by a court or an unvacated forfeiture of
23 bail or collateral deposited to secure a defendant's appearance
24 in court.

25 (b) Payment of fine as guilty plea.--A payment by any person
26 charged with a violation of this title of the fine prescribed
27 for the violation is a plea of guilty.

28 § 6502. Summary offenses.

29 (a) Designation.--It is a summary offense for any person to
30 violate any of the provisions of this title unless the violation

1 is by this title or other statute of this Commonwealth declared
2 to be a misdemeanor or felony.

3 (b) Penalty.--Every person convicted of a summary offense
4 for a violation of any of the provisions of this title for which
5 another penalty is not provided shall be sentenced to pay a fine
6 of \$25.

7 (c) Title 18 inapplicable.--Title 18 (relating to crimes and
8 offenses), in so far as it relates to fines and imprisonment for
9 convictions of summary offenses, is not applicable to this
10 title.

11 § 6503. Subsequent convictions of certain offenses.

12 Every person convicted of a second or subsequent violation of
13 any of the following provisions shall be sentenced to pay a fine
14 of not less than \$200 nor more than \$1,000 or to imprisonment
15 for not more than one year, or both:

16 Section 1501(a) (relating to drivers required to be
17 licensed).

18 Section 1543 (relating to driving while operating privilege
19 is suspended or revoked).

20 Section 3367 (relating to racing on highways).

21 Section 3733 (relating to fleeing or attempting to elude
22 police officer).

23 Section 3734 (relating to driving without lights to avoid
24 identification or arrest).

25 Section 3748 (relating to false reports).

26 § 6504. Inability to pay fine and costs.

27 (a) Order for installment payments.--Upon plea and proof
28 that a person is unable to pay any fine and costs imposed under
29 this title, a court may, in accordance with the Pennsylvania
30 Rules of Criminal Procedure, order payment of the fine and costs

1 in installments and shall fix the amounts, times and manner of
2 payment.

3 (b) Imprisonment for nonpayment.--Any person who does not
4 comply with an order entered under this section may be
5 imprisoned for a number of days equal to one day for each \$10 of
6 the unpaid balance of the fine and costs.

7 § 6505. Disposition of fines and forfeitures.

8 (a) State Police enforcement.--When prosecution under the
9 provisions of this title is the result of State Police action,
10 all fines and penalties and all bail forfeited shall be paid to
11 the Department of Revenue, transmitted to the State Treasury and
12 credited to the Motor License Fund. One-half of the revenue
13 shall be paid to municipalities in the same ratio provided in
14 section 4 of the act of June 1, 1956 (P.L.1944, No.655),
15 relating to partial allocation of fuels and liquid fuels tax
16 proceeds.

17 (b) Local police enforcement in general.--When prosecution
18 under the provisions of this title, except for parking, is the
19 result of local police action, one-half of all fines and
20 penalties and all bail forfeited shall be paid to the political
21 subdivision under which the local police are organized and one-
22 half to the Department of Revenue, transmitted to the State
23 Treasury and credited to the Motor License Fund.

24 (c) Local police enforcement of parking.--When prosecution
25 under the provisions of this title for parking is the result of
26 local police action, all fines and penalties and all bail
27 forfeited shall be paid to the political subdivision under which
28 the local police are organized.

29 CHAPTER 67

30 SERVICE OF PROCESS ON NONRESIDENTS

1 Sec.

2 6701. Service of process on nonresident.

3 6702. Residents who depart Commonwealth or whose whereabouts
4 are unknown.

5 6703. Personal representatives of nonresidents.

6 6704. Manner of service of process.

7 6705. Record of service of process.

8 § 6701. Service of process on nonresident.

9 (a) Secretary of Commonwealth as agent.--The acceptance by a
10 nonresident of any right or privilege conferred upon him by the
11 laws of this Commonwealth to title, register or operate a motor
12 vehicle within this Commonwealth, or the titling, registration
13 or operation by a nonresident or duly authorized agent or
14 employee of a motor vehicle within this Commonwealth, or in the
15 event the nonresident is the owner of a motor vehicle, then also
16 the titling, registration or operation of the vehicle within
17 this Commonwealth by any person with the express or implied
18 permission of the owner, shall be deemed equivalent to an
19 appointment by the nonresident of the Secretary of the
20 Commonwealth to be the true and lawful attorney upon whom may be
21 served all lawful process in any action or proceeding against
22 the nonresident growing out of any accident or collision
23 resulting from the operation of a motor vehicle upon any highway
24 or elsewhere throughout this Commonwealth.

25 (b) Implied consent of nonresident.--The titling,
26 registration or operation of a motor vehicle within this
27 Commonwealth shall be deemed consent by a nonresident that any
28 process served in the manner provided in this chapter shall be
29 of the same legal force and validity as if served personally on
30 the nonresident.

1 § 6702. Residents who depart Commonwealth or whose whereabouts
2 are unknown.

3 The provisions of this chapter apply to any resident who
4 departs from this Commonwealth subsequent to an accident or
5 collision or to any resident whose whereabouts are unknown.

6 § 6703. Personal representatives of nonresidents.

7 The appointment of the Secretary of the Commonwealth as the
8 attorney for service of process on nonresidents is irrevocable
9 and binding upon the personal representative, executor or
10 administrator of the nonresident, and the provisions of this
11 chapter shall apply in an action or proceeding against the
12 personal representative, executor or administrator of a
13 nonresident when the action or proceeding arises out of any
14 accident or collision in which the nonresident may have been
15 involved.

16 § 6704. Manner of service of process.

17 Service of process shall be made in compliance with the
18 applicable Pennsylvania Rules of Civil and Criminal Procedure.
19 When service upon the Secretary of the Commonwealth is required,
20 a true and attested copy of the process shall be sent to the
21 Secretary of the Commonwealth by registered mail at least 15
22 days before the return day of the process.

23 § 6705. Record of service of process.

24 The Secretary of the Commonwealth shall keep a record of each
25 process served and the day and hour of the service.

26 PART VI

27 MISCELLANEOUS PROVISIONS

28 Chapter

29 71. Vehicle Theft and Related Provisions

30 73. Abandoned Vehicles and Cargos

- 1 75. Messenger Service
- 2 77. Snowmobiles
- 3 81. Interstate Compacts and Agreements

4 CHAPTER 71

5 VEHICLE THEFT AND RELATED PROVISIONS

6 Subchapter

- 7 A. Identification Number
- 8 B. Stolen Vehicles
- 9 C. Misuse of Documents and Plates

10 SUBCHAPTER A

11 IDENTIFICATION NUMBER

12 Sec.

- 13 7101. Requirement for identification number.
- 14 7102. Removal or falsification of identification number.
- 15 7103. Dealing in vehicles with removed or falsified
- 16 numbers.
- 17 7104. State replacement vehicle identification number
- 18 plate.
- 19 7105. Seizure of vehicles with removed or falsified
- 20 numbers.

21 § 7101. Requirement for identification number.

22 Every vehicle other than a pedalcycle shall contain a vehicle
23 identification number which shall be placed upon or
24 incorporated into the vehicle in such manner as to be a
25 permanent part of the vehicle.

26 § 7102. Removal or falsification of identification number.

27 (a) Offense defined.--A person who wilfully removes or
28 falsifies an identification number of a vehicle, engine or
29 transmission is guilty of a misdemeanor of the third degree.

30 (b) Fraudulent intent.--A person who wilfully and with

1 intent to conceal or misrepresent the identity of a vehicle,
2 engine or transmission, removes or falsifies an identification
3 number thereof, is guilty of a misdemeanor of the first degree.

4 (c) Exception.--This section does not apply to the removal
5 of an identification number from a vehicle for which a
6 certificate of junk has been obtained in accordance with section
7 1117 (relating to vehicle destroyed or junked).

8 § 7103. Dealing in vehicles with removed or falsified
9 numbers.

10 (a) Offense defined.--A person who buys, receives,
11 possesses, sells or disposes of a vehicle, engine or
12 transmission, knowing that an identification number has been
13 removed or falsified, is guilty of a misdemeanor of the third
14 degree.

15 (b) Knowledge of fraudulent intent.--A person who buys,
16 receives, possesses, sells or disposes of a vehicle, engine or
17 transmission with knowledge that an identification number has
18 been removed or falsified with intent to conceal or misrepresent
19 the identity thereof, is guilty of a felony of the third degree.

20 (c) Exception.--This section does not apply to the removal
21 of an identification number from a vehicle for which a
22 certificate of junk has been obtained in accordance with section
23 1117 (relating to vehicle destroyed or junked).

24 § 7104. State replacement vehicle identification number
25 plate.

26 (a) General rule.--No vehicle on which the vehicle
27 identification number has been removed or falsified shall be
28 titled or registered without a special permit from the
29 department.

30 (b) Application for plate.--Before a certificate of title or

1 registration for the vehicle can be obtained, the owner shall
2 apply to the department for a State replacement vehicle
3 identification number plate on a form furnished by the
4 department which shall contain the full name and address of the
5 owner and any other information the department may deem
6 necessary, sworn to before an official empowered to administer
7 oaths.

8 (c) Designation on plate.--The State replacement vehicle
9 identification number plate shall contain:

10 (1) Official department identification.

11 (2) The manufacturer's vehicle identification number, if
12 known, or a number assigned by the department.

13 (d) Issuance and display of plate.--The department shall
14 furnish a State replacement vehicle identification number plate
15 which shall be immediately placed in a uniform manner as
16 designated by the department on the vehicle.

17 (e) Reconstructed or specially-constructed vehicle.--The
18 department may assign a State replacement vehicle identification
19 number plate for a reconstructed or specially-constructed
20 vehicle.

21 § 7105. Seizure of vehicles with removed or falsified
22 numbers.

23 (a) Duty of police.--Every police officer having knowledge
24 of a vehicle on which the vehicle identification number has been
25 removed or falsified shall immediately seize and take possession
26 of the vehicle and arrest or file a complaint for the arrest of
27 the suspected owner or custodian. In all actions involving
28 seizure or possession of such vehicles, vehicle identification
29 information shall be transmitted to the Federal or other
30 agencies involved in recovery of stolen vehicles.

1 (b) Proceedings if owner known.--The court, upon petition of
2 the owner or of the person entitled to possession of a seized
3 vehicle, may relinquish custody of the vehicle to the person
4 legally entitled to the vehicle upon presentation of proof that
5 a State replacement vehicle identification number plate has been
6 issued by the department under section 7104 (relating to State
7 replacement vehicle identification number plate). Except as
8 otherwise provided in this section, the court shall retain in
9 custody the seized vehicle pending prosecution of the person
10 arrested. In case the person is found guilty, the vehicle shall
11 remain in the custody of the court until the fine and costs of
12 prosecution are paid, except that if 90 days have elapsed after
13 the verdict has been rendered and the fine and costs have not
14 been paid, the court shall proceed to advertise and sell the
15 vehicle in the manner provided by law for the sale of personal
16 property under execution. The proceeds from the sale shall be
17 used to pay the fine and costs of prosecution and the balance,
18 if any, shall be forwarded to the department to be transmitted
19 to the State Treasurer for deposit in the Motor License Fund.

20 (c) Proceedings if owner unknown.--If ownership of the
21 vehicle is not established to the satisfaction of the court, the
22 vehicle shall be confiscated by the court and sold immediately,
23 and the proceeds shall be used to pay the costs of proceedings
24 and the balance, if any, shall be forwarded to the department to
25 be transmitted to the State Treasurer for deposit in the Motor
26 License Fund.

27 SUBCHAPTER B

28 STOLEN VEHICLES

29 Sec.

30 7111. Dealing in titles and plates for stolen vehicles.

1 7112. False report of theft or conversion of vehicle.
2 7113. Reporting stolen and recovered vehicles.
3 7114. Records of stolen vehicles.
4 7115. Application for certificate of title of a stolen vehicle.
5 7116. Fraudulent removal of vehicle from garage.
6 § 7111. Dealing in titles and plates for stolen vehicles.

7 A person is guilty of a misdemeanor of the first degree if
8 the person with fraudulent intent procures or attempts to
9 procure a certificate of title or registration plate for a
10 vehicle, or passes or attempts to pass a certificate of title or
11 an assignment to a vehicle, knowing or having reason to believe
12 that the vehicle has been stolen.

13 § 7112. False report of theft or conversion of vehicle.

14 A person is guilty of a misdemeanor of the third degree if
15 the person knowingly makes a false report of the theft or
16 conversion of a vehicle to a police officer or to the
17 department.

18 § 7113. Reporting stolen and recovered vehicles.

19 (a) Stolen vehicle.--Every police department or police
20 office, having knowledge of a stolen vehicle, shall immediately
21 furnish the State Police with full information about the stolen
22 vehicle. The State Police shall forward the stolen vehicle
23 information to the department.

24 (b) Recovered stolen vehicle.--Within 48 hours of the
25 recovery of a stolen vehicle, the police shall notify the owner
26 of the vehicle. If the vehicle was recovered without their
27 knowledge, the owner shall notify the same police department to
28 which the theft was originally reported. On recovering or
29 receiving and verifying the report of recovery of a stolen
30 vehicle, the police shall notify the State Police. The State

1 Police shall notify the department of the recovery.

2 § 7114. Records of stolen vehicles.

3 (a) General rule.--The department shall, upon receiving a
4 report of the theft of a vehicle, make an entry onto the
5 vehicle's record that it has been reported as stolen, which
6 entry shall remain until a report of recovery has been received
7 as provided in section 7113(b) (relating to reporting stolen and
8 recovered vehicles). If the vehicle is not reported as recovered
9 within five years, the department may remove the record from its
10 files.

11 (b) List of stolen and recovered vehicles.--The department
12 shall prepare periodic reports listing vehicles, stolen and
13 recovered, as disclosed by the reports submitted, to be
14 distributed as provided in regulations promulgated by the
15 department.

16 § 7115. Application for certificate of title of a stolen
17 vehicle.

18 Upon receipt of an application for a certificate of title of
19 a stolen vehicle, the department shall notify the State Police
20 and the rightful owner and shall withhold the issuing of the
21 certificate of title until the proper investigation is made.

22 § 7116. Fraudulent removal of vehicle from garage.

23 No person shall remove or cause to be removed, by any false
24 pretension or with intent to defraud, any vehicle that has been
25 placed in a garage or automobile shop for storage, repair or
26 garage service.

27 SUBCHAPTER C

28 MISUSE OF DOCUMENTS AND PLATES

29 Sec.

30 7121. False application for certificate of title or

1 registration.

2 7122. Altered, forged or counterfeit documents and plates.

3 7123. Sale or purchase of certificate or other document.

4 7124. Fraudulent use or removal of registration plate.

5 § 7121. False application for certificate of title or
6 registration.

7 A person is guilty of a misdemeanor of the first degree if
8 the person uses a false or fictitious name or address or makes a
9 material false statement, or fails to disclose a security
10 interest, or conceals any other material fact in an application
11 for a certificate of title or for registration.

12 § 7122. Altered, forged or counterfeit documents and plates.

13 A person is guilty of a misdemeanor of the first degree if
14 the person, with fraudulent intent:

15 (1) alters, forges or counterfeits a certificate of
16 title, registration card or plate, inspection certificate or
17 proof of insurance;

18 (2) alters or forges an assignment of a certificate of
19 title, or an assignment or release of a security interest on
20 a certificate of title or any other document issued or
21 prepared for issue by the department; or

22 (3) has possession of, sells or attempts to sell, uses
23 or displays a certificate of title, registration card or
24 plate, driver's license, inspection certificate proof of
25 insurance or any other document issued by the department,
26 knowing it to have been altered, forged or counterfeited.

27 § 7123. Sale or purchase of certificate or other document.

28 It is unlawful to purchase or sell a certificate or any other
29 document issued by the department. Police officers or department
30 representatives may confiscate the documents when unlawfully

1 possessed or used.

2 § 7124. Fraudulent use or removal of registration plate.

3 A person who either removes a registration plate from a
4 vehicle or affixes to a vehicle a registration plate not
5 authorized by law for use on the vehicle, with intent to conceal
6 or misrepresent the identity of the vehicle or its owner, is
7 guilty of a summary offense punishable by a fine of not less
8 than \$100 nor more than \$500 or imprisonment for not more than
9 90 days, or both.

10 CHAPTER 73

11 ABANDONED VEHICLES AND CARGOS

12 Sec.

13 7301. Authorization of salvors.

14 7302. Certificate of authorization.

15 7303. Suspension of authorization.

16 7304. Reports to department of possession of abandoned
17 vehicles.

18 7305. Notice to owner and lienholders of abandoned vehicles.

19 7306. Payment of costs upon reclaiming vehicle.

20 7307. Authorization for disposal of unclaimed vehicles.

21 7308. Public sale of unclaimed vehicles with value.

22 7309. Junking of vehicles valueless except for junk.

23 7310. Removal of vehicles and spilled cargo from roadway.

24 7311. Reports by garage keepers of abandoned vehicles.

25 7312. Penalty for violation of chapter.

26 § 7301. Authorization of salvors.

27 (a) General rule.--The department shall authorize and shall
28 issue a certificate of authorization to every salvor that
29 complies with the requirements of this chapter and regulations
30 adopted by the department and is a vehicle salvage dealer as

1 defined in section 1337(c)(2) (relating to use of "Miscellaneous
2 Motor Vehicle Business" registration plates).

3 (b) Unauthorized operation prohibited.--No person shall
4 operate as a salvor unless authorized.

5 (c) Duty of salvor.--Upon written request of a police
6 department, a salvor shall take possession of and remove to the
7 storage facility of the salvor any abandoned vehicle located
8 within 30 miles of the place of business of the salvor.

9 (d) Storage facility.--A salvor may rent or own a storage
10 facility, which shall comply with the act of December 15, 1971
11 (P.L.596, No.160), known as the "Outdoor Advertising Control Act
12 of 1971," where applicable, and with regulations promulgated by
13 the department.

14 § 7302. Certificate of authorization.

15 (a) Application and issuance.--Application for a certificate
16 of authorization shall be made on a form prescribed by the
17 department. The department shall investigate the qualifications
18 and fitness of the applicant and shall issue a certificate of
19 authorization if it determines that the applicant is capable of
20 performing the duties of a salvor in a manner consistent with
21 the public interest.

22 (b) Place of business.--Every applicant shall have and
23 maintain an established place of business. If the applicant has
24 or intends to have one or more places of business or branch
25 offices, the application shall contain complete information for
26 each location.

27 (c) Bonding required.--Before issuing a certificate of
28 authorization, the department shall require the applicant to
29 furnish and maintain a bond indemnifying the public and the
30 department in the amount of \$10,000. An individual bond for each

1 place of business is not required, but all places of business
2 shall be covered by the bond.

3 (d) Duration and renewal.--Certificates of authorization
4 shall be issued for a period of one year and shall be subject to
5 annual renewal.

6 § 7303. Suspension of authorization.

7 (a) General rule.--The department shall supervise salvors
8 and, after providing an opportunity for a hearing, shall suspend
9 the authorization of any salvor which the department finds is
10 not properly operated or which has violated or failed to comply
11 with any of the provisions of this chapter or regulations
12 adopted by the department. A suspended certificate of
13 authorization shall be returned to the department immediately
14 except an appeal from suspension as provided in subsection (b)
15 shall operate as a supersedeas of any suspension by the
16 department.

17 (b) Judicial review.--Any person whose certificate of
18 authorization has been denied or suspended under this chapter
19 shall have the right to file a petition within 30 days
20 thereafter for a hearing on the matter in the court of common
21 pleas of the county in which the principal place of business of
22 the salvor is located. The court is hereby vested with
23 jurisdiction and it shall be its duty to set the matter for
24 hearing upon 30 days' written notice to the department and to
25 take testimony and examine into the facts of the case and to
26 determine whether the petitioner is entitled to a certificate of
27 authorization or is subject to suspension of the certificate of
28 authorization under the provisions of this chapter.

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

1 Any salvor taking possession of an abandoned vehicle pursuant
2 to section 7301(c) (relating to authorization of salvors) shall
3 within 48 hours after taking possession report to the department
4 the make, model, vehicle identification number and registration
5 plate number of the abandoned vehicle, and the name and address
6 of the owner or person who abandoned the vehicle, if known,
7 together with any other information or documents which the
8 department may by regulation require. The report shall include a
9 statement whether the vehicle is valueless except for junk.

10 Where the report indicates the vehicle is valueless except for
11 junk, the salvor shall include a photograph of the vehicle to be
12 prepared in a manner prescribed by the department. A report by a
13 salvor that a vehicle is valueless except for junk shall be
14 verified by the police department which authorized transfer of
15 the vehicle to the salvor.

16 § 7305. Notice to owner and lienholders of abandoned vehicles.

17 (a) General rule.--Except as provided in section 7309
18 (relating to junking of vehicles valueless except for junk), the
19 department, upon receipt of notice that an abandoned vehicle has
20 been taken into possession pursuant to this chapter, shall
21 notify by certified mail, return receipt requested, the last
22 known registered owner of the vehicle and all lienholders of
23 record that the vehicle is abandoned.

24 (b) Contents of notice.--The notice shall:

25 (1) Describe the make, model, title number, vehicle
26 identification number and registration plate number of the
27 abandoned vehicle, if known.

28 (2) State the location where the vehicle is being held.

29 (3) Inform the owner and any lienholders of their right
30 to reclaim the vehicle within 30 days after the date of the

1 notice at the place where the vehicle is being held by the
2 salvor, upon payment of all towing and storage charges and
3 the fee authorized in section 7306 (relating to payment of
4 costs upon reclaiming vehicle).

5 (4) State that the failure of the owner or lienholder to
6 reclaim the vehicle is deemed consent by the owner to the
7 destruction, sale or other disposition of the abandoned
8 vehicle and of all lienholders to dissolution of their liens.

9 (c) Notice by publication.--If the identity of the last
10 registered owner and of all lienholders cannot be determined
11 with reasonable certainty, the contents of the notice set forth
12 in subsection (b) shall be published one time in one newspaper
13 of general circulation in the area where the vehicle was
14 abandoned. The notice may contain multiple listings of abandoned
15 vehicles. Notice by publication locally shall be the
16 responsibility of the salvor. The notice shall have the same
17 effect as notice sent by certified mail.

18 § 7306. Payment of costs upon reclaiming vehicle.

19 In the event the owner or lienholder of an abandoned vehicle
20 reclaims the vehicle, the reclaiming party shall pay the costs
21 for towing and storage, plus a fee of \$25 of which \$10 shall be
22 transmitted to the department by the salvor.

23 § 7307. Authorization for disposal of unclaimed vehicles.

24 The department shall, after the expiration of 30 days from
25 the date of notice sent by certified mail to the registered
26 owner and all lienholders of record or 30 days after publication
27 of notice, where applicable, and upon receipt of a written
28 statement from the holder of the vehicle that the abandoned
29 vehicle has not been reclaimed by the owner or lienholder within
30 the 30-day period, authorize the disposal of the abandoned

1 vehicle in accordance with the provisions of this chapter.

2 § 7308. Public sale of unclaimed vehicles with value.

3 (a) General rule.--If an abandoned vehicle having value has
4 not been reclaimed as provided in this chapter, the vehicle
5 shall be sold at a public auction.

6 (b) Title of purchaser.--The salvor shall give the purchaser
7 a sales receipt and shall apply to the department for a title
8 which shall be free and clear of all previous liens and claims
9 of ownership.

10 (c) Disposition of proceeds.--From the proceeds of the sale
11 of the abandoned vehicle, the salvor shall be reimbursed for the
12 costs of towing, storage, notice and publication costs and
13 expenses of auction. The remainder of the proceeds of a sale
14 shall be held for the owner of the vehicle or record lienholder
15 for 60 days from the date of sale and if not properly claimed
16 shall then be paid to the department and transmitted to the
17 State Treasurer for deposit in the Motor License Fund.

18 § 7309. Junking of vehicles valueless except for junk.

19 (a) Application for certificate of junk.--If an abandoned
20 vehicle is valueless except for junk, the salvor shall note that
21 fact in the report to the department required in section 7304
22 (relating to reports to department of possession of abandoned
23 vehicles) and shall apply for issuance of a certificate of junk
24 as provided for in section 1117 (relating to vehicle destroyed
25 or junked).

26 (b) Notice and issuance of certificate.--If the identity of
27 the last registered owner cannot be determined with reasonable
28 certainty and it is impossible to determine with reasonable
29 certainty the identity and addresses of any lienholder, no
30 notice shall be required. Under such circumstances, the

1 department shall upon receipt of the report by the salvor
2 pursuant to section 7304 issue a certificate of junk as provided
3 in section 1117.

4 (c) Reimbursement of expenses of salvor.--Upon receipt
5 within six months of evidence that a salvor has removed an
6 abandoned vehicle upon the request of a police department, the
7 department shall pay to the salvor from the Motor License Fund
8 the sum of \$15 for the expenses incurred in the removal and
9 towing of the abandoned vehicle. No portion of \$15 payment or
10 any separate consideration shall be reimbursed or paid to any
11 government agency or municipality by the salvor.

12 (d) Rights of owners and lienholders.--Issuance by the
13 department of a certificate of junk for a vehicle junked under
14 this section shall operate as a divestiture of all right, title
15 and interest in the vehicle of the owner and all lienholders.
16 § 7310. Removal of vehicles and spilled cargo from roadway.

17 (a) General rule.--Police officers may remove or direct
18 removal of abandoned or wrecked vehicles and spilled cargo from
19 any roadway to the nearest point off the roadway where the
20 vehicle or spilled cargo will not interfere with or obstruct
21 traffic. Immediately following an accident, the wrecked vehicle
22 or spilled cargo shall be removed or directed to be removed from
23 the roadway by a police officer if the owner or operator cannot
24 remove the wrecked vehicle or refuses or fails to have the
25 vehicle removed within a reasonable time.

26 (b) Storage of cargo.--When, in the opinion of a police
27 officer, it is deemed necessary for the protection of the
28 contents or load of a wrecked vehicle or spilled cargo from the
29 elements, spoilage or theft, the police officer may remove or
30 direct to be removed and have stored at the expense of the owner

1 the contents or load or spilled cargo at the nearest practical
2 place of storage.

3 (c) Liability for damages.--In carrying out the provisions
4 of this section, no liability shall attach to the police officer
5 or, absent a showing of gross negligence, to any person acting
6 under the direction of the police officer for damage to a
7 vehicle or damage to or loss of any portion of the contents or
8 load or spilled cargo.

9 § 7311. Reports by garage keepers of abandoned vehicles.

10 The person in charge of any garage or repair shop in which a
11 vehicle of unknown ownership has been left for a period of 15
12 consecutive days without being removed by the owner or any other
13 person duly authorized to remove the vehicle shall report to the
14 department within 24 hours of the expiration of the 15-day
15 period giving the make, engine number, vehicle identification
16 number, registration plate number and the name and address of
17 the person abandoning the vehicle if known. Upon receipt of the
18 report the department shall make a distinctive record of the
19 report and file the report in the manner provided in section
20 7114 (relating to records of stolen vehicles).

21 § 7312. Penalty for violation of chapter.

22 (a) Fines.--Any person violating any of the provisions of
23 this chapter is guilty of a summary offense, punishable:

24 (1) For a first offense, by a fine of \$100.

25 (2) For a subsequent offense, by a fine of not less than
26 \$200 nor more than \$500 or imprisonment for not more than 90
27 days, or both.

28 (b) Suspension.--For violation of any of the provisions of
29 this chapter, the salvor shall be subject to suspension of the
30 privilege to receive abandoned vehicles under this chapter.

CHAPTER 75

MESSENGER SERVICE

Sec.

7501. Authorization of messenger service.

7502. Certificate of authorization.

7503. Suspension of authorization.

7504. Place of business.

7505. Transaction of business with department.

7506. Violations and penalties.

§ 7501. Authorization of messenger service.

(a) General rule.--The department shall authorize and shall issue a certificate of authorization to every messenger service that complies with the requirements of this chapter and regulations adopted by the department.

(b) Unauthorized operation prohibited.--No person shall operate a messenger service unless authorized.

(c) Penalty.--Any person operating a messenger service without authorization is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$200.

§ 7502. Certificate of authorization.

(a) Application and issuance.--Application for a certificate of authorization shall be made on a form prescribed by the department, accompanied by the applicable fee. The department shall investigate the qualifications and fitness of the applicant and shall issue a certificate of authorization if it determines that the applicant is capable of performing the duties of a messenger service in a manner consistent with the public interest and the applicable fees are paid.

(b) Place of business.--Every applicant shall have and

1 maintain an established place of business. If the applicant has
2 or intends to have one or more places of business or branch
3 offices, the application shall contain complete information for
4 each location.

5 (c) Bond required.--Before issuing a certificate of
6 authorization, the department shall require the applicant to
7 furnish and maintain a bond indemnifying the public and the
8 department in the amount of \$50,000. An individual bond for each
9 place of business is not required, but all places of business
10 shall be covered by the bond.

11 (d) Commonwealth employees ineligible.--No official or
12 employee of the Commonwealth shall be given authorization to
13 operate as a messenger service, nor own, nor be employed by, a
14 messenger service.

15 (e) Duration and renewal.--Certificates of authorization
16 shall be given for a period of one year and may be renewed
17 annually.

18 § 7503. Suspension of authorization.

19 (a) General rule.--The department shall supervise messenger
20 services and, after providing an opportunity for a hearing,
21 shall suspend the authorization of any messenger service which
22 it finds is not properly operated or which has violated or
23 failed to comply with any of the provisions of this chapter or
24 regulations adopted by the department. Any suspended certificate
25 of authorization shall be returned to the department
26 immediately. A suspended certificate may be restored on such
27 terms and conditions, including the posting of additional bond,
28 as the department shall deem advisable.

29 (b) Judicial review.--Any person whose certificate of
30 authorization has been denied or suspended under this chapter

1 shall have the right to file a petition within 30 days
2 thereafter for a hearing on the matter in the court of common
3 pleas of the county in which the principal place of business of
4 the person is located. The court is hereby vested with
5 jurisdiction and it shall be its duty to set the matter for
6 hearing upon 30 days' written notice to the department and to
7 take testimony and examine into the facts of the case and to
8 determine whether the petitioner is entitled to a certificate of
9 authorization or is subject to suspension of the certificate of
10 authorization under the provisions of this chapter.

11 § 7504. Place of business.

12 (a) Operation with other business.--A messenger service may
13 be operated in conjunction with a closely allied business in
14 accordance with regulations of the department.

15 (b) Change of location.--Upon notification in writing to the
16 department that the location of place of business or branch will
17 be changed and upon payment of the applicable transfer fee, the
18 department shall issue a certificate of authorization for the
19 new location for the unexpired period of authorization if the
20 department determines that the new location conforms to
21 department regulations.

22 (c) Failure to report change of location.--A change of
23 location or addition of a place of business or branch office
24 without notification to the department shall result in
25 suspension of the certificate of authorization.

26 (d) Display of sign and certificate.--Every messenger
27 service shall display on the outside of each place of business
28 an identifying sign conforming to regulations of the department
29 and shall prominently display within each place of business its
30 certificate of authorization. No person other than an authorized

1 messenger service shall display a similar identifying sign or
2 certificate.

3 § 7505. Transaction of business with department.

4 The department may designate those locations, facilities and
5 hours of operation at which messenger services may transact
6 business with the department. Every messenger service to whom a
7 certificate of authorization has been issued pursuant to this
8 chapter shall be permitted to transact business with the
9 department at the locations and facilities and during the hours
10 of operation designated by the department. The department may
11 prescribe such regulations as may be necessary for the
12 administration of this chapter.

13 § 7506. Violations and penalties.

14 Any person violating any provision of this chapter or the
15 rules and regulations promulgated thereunder for which a
16 specific penalty is not provided is guilty of a summary offense
17 and shall, upon conviction, be sentenced to pay a fine of not
18 less than \$100.

19 CHAPTER 77

20 SNOWMOBILES

21 Subchapter

22 A. General Provisions

23 B. Registration

24 C. Operation

25 D. Equipment

26 E. Miscellaneous Provisions

27 SUBCHAPTER A

28 GENERAL PROVISIONS

29 Sec.

30 7701. Short title of chapter.

1 7702. Definitions.

2 7703. Applicability of chapter.

3 7704. Rules and regulations.

4 7705. Disposition of fines and penalties.

5 7706. Restricted receipts fund.

6 § 7701. Short title of chapter.

7 This chapter shall be known and may be cited as the

8 "Snowmobile Law."

9 § 7702. Definitions.

10 The following words and phrases when used in this chapter
11 shall have, unless the context clearly indicates otherwise, the
12 meanings given to them in this section:

13 "Cowling." The forward portion of the snowmobile, usually of
14 fiberglass or similar material, surrounding the motor and clutch
15 assembly.

16 "Dealer." A person engaged in the business of selling
17 snowmobiles at wholesale or retail.

18 "Department." The Department of Environmental Resources of
19 the Commonwealth.

20 "Head lamp." A major lighting device used to provide general
21 illumination ahead of a vehicle.

22 "Highway." The entire width between the boundary lines of
23 every way publicly maintained when any part thereof is open to
24 the use of the public for purposes of vehicular travel.

25 "Snowmobile." An engine-driven vehicle of a type which
26 utilizes sled type runners, or skis, or an endless belt tread or
27 any combination of these or other similar means of contact with
28 the surface upon which it is operated. The term does not include
29 any farm tractor, highway or other construction equipment, or
30 any military or law enforcement vehicle.

1 "Street." A highway, other than an alley, within the
2 corporate limits of a political subdivision.

3 "Tail lamp." A device to designate the rear of a vehicle by a
4 warning light.

5 § 7703. Applicability of chapter.

6 This chapter does not apply to law enforcement officers while
7 engaged in the performance of their official duties.

8 § 7704. Rules and regulations.

9 The department may promulgate such rules and regulations as
10 may be necessary to carry out the provisions of this chapter.

11 § 7705. Disposition of fines and penalties.

12 On the first day of each month or within ten days thereafter,
13 all fines and penalties collected for violations of this chapter
14 shall be paid over to the department, accompanied by a statement
15 setting forth the action or proceeding in which the moneys were
16 collected, the name and residence of the defendant, the nature
17 of the offense and the fines and penalties imposed.

18 § 7706. Restricted receipts fund.

19 (a) Deposit and use of moneys.--The department shall deposit
20 all moneys received from the registration of snowmobiles, the
21 sale of snowmobile registration information, snowmobile
22 publications and other services provided by the department, all
23 fines and penalties resulting from violations of this chapter,
24 and all fees collected under this chapter in a restricted
25 receipts fund, from which the department shall draw moneys for
26 use in carrying out the registration, safety education and
27 enforcement requirements of this chapter as well as the
28 establishment, construction and maintenance of trails and any
29 equipment and supplies necessary to carry out the purposes of
30 this chapter.

1 period not to exceed 45 days may be issued by a registered
2 dealer pursuant to rules and regulations promulgated by the
3 department.

4 (c) Fees.--Fees for registration of snowmobiles to be
5 collected by the department under this chapter are as follows:

6 (1) Each individual resident registration for two years,
7 \$10.

8 (2) Each individual nonresident registration for two
9 years, \$10.

10 (3) Each dealer registration for one year, \$25.

11 (4) Replacement of a lost, mutilated or destroyed
12 certificate or decal, \$1.

13 (d) Exemptions from fees.--No fee is required for the
14 registration of snowmobiles owned by:

15 (1) The Commonwealth.

16 (2) Political subdivisions.

17 (3) Volunteer organizations and used exclusively for
18 emergency purposes.

19 § 7713. Certificates of registration and decals.

20 (a) General rule.--Except as otherwise provided in this
21 chapter, it is unlawful to operate a snowmobile unless a
22 certificate of registration has been issued therefor and unless
23 there is displayed thereon the permanent or temporary
24 registration number and a valid decal.

25 (b) Registration number requirements.--Numbers corresponding
26 to the permanent registration number of the snowmobile, shown on
27 the certificate of registration, shall be obtained by the
28 applicant and affixed to the snowmobile. The permanent
29 registration number displayed on the snowmobile shall be of a
30 color which will contrast with the surface to which applied,

1 shall be reflective and shall be at least three inches high.

2 (c) Display of number and decal.--The decal and the
3 permanent registration number shall be displayed on both sides
4 of the cowling of the snowmobile for which issued. No number
5 other than the number assigned to a snowmobile by the department
6 or the identification number of the registration in another
7 state shall be attached to or displayed on the cowling.

8 (d) Expiration on transfer.--The certificate of registration
9 issued for a snowmobile shall expire and the decal shall become
10 invalid when title to the snowmobile is transferred.

11 (e) Suspension or revocation.--The department may suspend or
12 revoke the certification of registration for a snowmobile upon
13 conviction of the owner of any offense under this chapter.

14 § 7714. Exemptions from registration.

15 No certificate of registration or decal shall be required for
16 a snowmobile:

17 (1) Owned and used by the United States or another
18 state, or a political subdivision thereof, but such
19 snowmobile shall display the name of the owner on the cowling
20 thereof.

21 (2) Covered by a valid registration or license of
22 another state, province or country.

23 (3) Owned and operated on lands owned by the owner or
24 operator of the snowmobile or on lands to which he has a
25 contractual right other than as a member of a club or
26 association, provided the snowmobile is not operated
27 elsewhere within this Commonwealth.

28 § 7715. Reciprocity.

29 The provisions of this chapter relating to certificates of
30 registration and decals shall not apply to nonresident owners

1 who have complied with the registration and licensing laws of
2 the state, province, district or country of residence, provided
3 that the snowmobile is appropriately identified in accordance
4 with the laws of the state of residence.

5 § 7716. Central registration file.

6 The department shall maintain a central file of the
7 certificate of registration number, name and address of the
8 owner of each snowmobile for which a certificate of registration
9 is issued and such information shall be made available to all
10 enforcement agencies.

11 SUBCHAPTER C

12 OPERATION

13 Sec.

14 7721. Operation on streets and highways.

15 7722. Designation of snowmobile roads.

16 7723. Special snowmobile events.

17 7724. Operation on private or State property.

18 7725. Operation by persons under age sixteen.

19 7726. Operation in safe manner.

20 7727. Additional limitations on operation.

21 7728. Accidents and accident reports.

22 7729. Liability of owner for negligence.

23 § 7721. Operation on streets and highways.

24 (a) General rule.--Except as otherwise provided in this
25 chapter, it is unlawful to operate a snowmobile on any street or
26 highway which is not designated and posted as a snowmobile road
27 by the governmental agency having jurisdiction.

28 (b) Emergency and bridge crossings.--A snowmobile may be
29 operated on highways and streets:

30 (1) During periods of emergency when so declared by a

1 policy agency having jurisdiction.

2 (2) When necessary to cross a bridge or culvert.

3 (c) Crossing street or highway.--A snowmobile may make a
4 direct crossing of a street or two-lane highway upon compliance
5 with the following requirements:

6 (1) The crossing is made at an angle of approximately 90
7 degrees to the direction of the highway and at a place where
8 no obstruction prevents a quick and safe crossing.

9 (2) The snowmobile is brought to a complete stop before
10 crossing the shoulder or main traveled way of the highway.

11 (3) The driver yields the right-of-way to all oncoming
12 traffic which constitutes an immediate hazard.

13 (4) In crossing a divided highway, the crossing is made
14 only at an intersection of such highway with another public
15 street or highway.

16 § 7722. Designation of snowmobile roads.

17 (a) General rule.--The Department of Transportation on
18 State-designated highways and local authorities on any highway,
19 road or street within its jurisdiction may designate any
20 highway, road or street within its jurisdiction as a snowmobile
21 road and may, in its discretion, determine whether such road
22 shall be closed to vehicular traffic or whether snowmobiles may
23 share this designated road with vehicular traffic.

24 (b) Posting notices.--Adequate notices of such designation
25 and determination shall be sufficiently and prominently
26 displayed.

27 § 7723. Special snowmobile events.

28 (a) General rule.--Snowmobiles may be operated on highways
29 and streets for special snowmobile events of limited duration
30 which are conducted according to a prearranged schedule under

1 permit from the governmental agency having jurisdiction.

2 (b) Authority of local authorities.--A local authority may
3 block off highways and streets within its jurisdiction for the
4 purpose of allowing snowmobile races, rallies or derbies. No
5 State trunk highway or connecting street, or part thereof, shall
6 be blocked off by any local authority for any snowmobile race,
7 rally or derby.

8 (c) Notification and duty of police.--A local authority
9 shall notify the local police department and the county
10 sheriff's office at least one week in advance of the time and
11 place of any snowmobile race, rally or derby which may result in
12 any highway or street, or part thereof, being blocked off. Upon
13 such notice, the local police department shall take such
14 measures as it deems appropriate to protect persons and property
15 and to regulate traffic in the designated area and its vicinity
16 on the day of such race, rally or derby.

17 (d) Liability of local authorities.--A local authority shall
18 not be responsible for any injury suffered by anyone in
19 connection with, or arising out of, any snowmobile race, rally
20 or derby unless the injury is caused by the negligence of the
21 local authority.

22 § 7724. Operation on private or State property.

23 (a) Private property.--No person shall operate a snowmobile
24 on private property without the consent of the owner or
25 lessor thereof. Any person operating a snowmobile upon lands of
26 another shall stop and identify himself upon the request of the
27 landowner or his duly authorized representatives and, if
28 requested to do so by the landowner, shall promptly remove the
29 snowmobile from the premises.

30 (b) State property.--No person shall operate a snowmobile on

1 State-owned property except on clearly marked and previously
2 designated snowmobile routes. The department may designate any
3 road within a State Park or State Forest over which the
4 department has jurisdiction as a snowmobile road and may, in its
5 discretion, determine whether the road shall be closed to
6 vehicular traffic or whether snowmobiles may share the
7 designated road with vehicular traffic. Adequate notices of such
8 designation and determination shall be sufficiently and
9 prominently displayed.

10 § 7725. Operation by persons under age sixteen.

11 (a) Snowmobile safety certification.--Except as otherwise
12 provided in this section, no person ten years of age and over
13 who has not reached 16 years of age shall operate a snowmobile
14 in this Commonwealth, except upon lands of his parent or
15 guardian, unless and until he has received safety training as
16 prescribed by the department and has received the appropriate
17 snowmobile safety certificate issued by the department. The
18 department may authorize sanctioned snowmobile clubs to act as
19 agents in conducting classes and examinations and issuing
20 snowmobile safety certificates in the name of the department.

21 (b) Failure to exhibit certificate.--The failure of an
22 operator to exhibit a snowmobile safety certificate upon demand
23 to any police officer having authority to enforce the provisions
24 of this chapter shall be presumptive evidence that such person
25 is not the holder of such certificate.

26 (c) Permitting unauthorized operation.--No owner of a
27 snowmobile shall authorize or permit the operation thereof
28 within this Commonwealth by any person under the age of 16 years
29 unless the operator is the holder of a valid snowmobile safety
30 certificate or except as authorized by subsection (a).

(d) Limitations on operation.--No person:

(1) Under the age of 16 years shall drive a snowmobile across any highway or connecting street thereto.

(2) Under the age of ten years shall operate a snowmobile without the knowledge and express consent of the landowner unless he is accompanied by a person over 18 years of age or a person over 14 years of age who holds a snowmobile safety certificate.

§ 7726. Operation in safe manner.

(a) General rule.--No person shall operate a snowmobile in any of the following ways:

(1) At a rate of speed that is unreasonable or improper under existing conditions.

(2) In any careless way so as to endanger the person or property of another.

(3) While under the influence of alcohol or any controlled substance.

(b) Permitting unsafe operation.--No owner or other person having charge or control of a snowmobile shall knowingly authorize or permit the operation of the snowmobile by any person who is incapable to do so by reason of age, physical or mental disability, or who is under the influence of alcohol or any controlled substance.

§ 7727. Additional limitations on operation.

Except as otherwise permitted under the act of June 3, 1937 (P.L.1225, No.316), known as "The Game Law," no person shall:

(1) Operate or ride in any snowmobile with any bow and arrows or with any firearm in his possession unless it is unloaded.

(2) Drive or pursue any wildlife with a snowmobile.

1 § 7728. Accidents and accident reports.

2 (a) Duty to stop and provide information.--Whenever any
3 snowmobile is involved in an accident resulting in loss of life,
4 personal injury or damage to property and the operator thereof
5 has knowledge of such accident, he shall stop and give his name
6 and address, the name and address of the owner thereof and the
7 registration number of the snowmobile to the injured person or
8 the person sustaining the damage or to a police officer. In case
9 no police officer nor the person sustaining the damage is
10 present at the place where the damage occurred, then the
11 operator shall immediately report, as soon as he is physically
12 able, the accident to the nearest law enforcement agency.

13 (b) Report of accident to department.--The operator of any
14 snowmobile involved in any accident resulting in injuries to or
15 death of any person or resulting in property damage to the
16 estimated amount of \$100 or more shall, within seven days after
17 such accident, report the matter in writing to the department.
18 If the operator is physically incapable of making the report and
19 there is another participant in the accident not so
20 incapacitated, the participant shall make the report within the
21 prescribed period of time after the accident. In the event that
22 there is no other participant and the operator is other than the
23 owner, then the owner shall within the prescribed period of
24 time, after learning of the facts of such accident, report the
25 matter to the department, together with such information as may
26 have come to his knowledge relating to such accident. Every
27 operator or owner of a snowmobile in an accident, or surviving
28 participant of any such accident, shall make such other and
29 additional reports as the department shall require.

30 (c) Report by law enforcement officer.--A law enforcement

1 officer who investigates or receives information of an accident
2 involving a snowmobile shall make a written report of the
3 investigation or information received, and such additional facts
4 relating to the accident as may come to his knowledge, and mail
5 the same within 48 hours to the department and keep a record
6 thereof in his office.

7 (d) Exception.--This section does not apply when property
8 damage is sustained in sanctioned snowmobile races, derbies and
9 rallies.

10 § 7729. Liability of owner for negligence.

11 (a) General rule.--Negligence in the use or operation of a
12 snowmobile is attributable to the owner. Every owner of a
13 snowmobile used or operated in this Commonwealth shall be liable
14 and responsible for death or injury to person or damage to
15 property resulting from negligence in the use or operation of
16 such snowmobile by any person using or operating the snowmobile
17 with the permission, express or implied, of such owner.

18 (b) Exception.--The negligence of the operator shall not be
19 attributed to the owner as to any claim or cause of action
20 accruing to the operator or his legal representative for such
21 injuries or death.

22 SUBCHAPTER D

23 EQUIPMENT

24 Sec.

25 7741. Head lamps and tail lamps.

26 7742. Brakes.

27 7743. Mufflers and noise control.

28 § 7741. Head lamps and tail lamps.

29 (a) Time of operation.--Every snowmobile operated during
30 hours of darkness shall display a lighted head lamp and tail

1 lamp. The lights shall be in operation during the period of from
2 one-half hour after sunset to one-half hour before sunrise and
3 at any time when, due to insufficient light or unfavorable
4 atmospheric conditions caused by fog or otherwise, other
5 persons, vehicles and other objects are not clearly discernible
6 for a distance of 500 feet ahead.

7 (b) Head lamp requirements.--The head lamp shall display
8 white light of sufficient illuminating power to reveal any
9 person, vehicle or substantial object at a distance of 100 feet
10 ahead.

11 (1) If the snowmobile is equipped with a multiple beam
12 head lamp, the upper beam shall meet the minimum requirements
13 set forth in this section and the lowermost beam shall be so
14 aimed and of sufficient intensity to reveal persons and
15 vehicles at a distance of at least 50 feet ahead.

16 (2) If the snowmobile is equipped with a single beam
17 head lamp, the lamp shall be so aimed that when the vehicle
18 is loaded none of the high intensity portion of the light, at
19 a distance of 75 feet ahead, projects higher than the level
20 of the center of the lamp from which it comes.

21 (c) Tail lamp requirements.--The tail lamp shall display a
22 red light plainly visible during darkness from a distance of 500
23 feet.

24 § 7742. Brakes.

25 It is unlawful to operate a snowmobile which is not equipped
26 with at least one brake of a design approved by the department
27 operated either by hand or by foot, capable of bringing the
28 snowmobile to a stop, under normal conditions, within 40 feet
29 when traveling at a speed of 20 miles per hour with a 150 pound
30 driver and on hard packed snow, or locking its traction belt or

1 belts. The design shall permit simple and easy adjustment to
2 compensate for wear.

3 § 7743. Mufflers and noise control.

4 (a) General rule.--It is unlawful to operate a snowmobile
5 which is not equipped at all times with a muffler in good
6 working order which blends the exhaust noise into the overall
7 snowmobile noise and is in constant operation to prevent
8 excessive or unusual noise. The exhaust system shall not emit or
9 produce a sharp popping or crackling sound. The sound intensity
10 produced by a snowmobile shall not exceed 82dbA when measured in
11 accordance with SAE Recommended Practice J 192 Exterior Sound
12 Level for Snowmobiles, as amended. The department may by
13 regulation adopt more stringent noise requirements.

14 (b) Modified mufflers prohibited.--It is unlawful to modify
15 a muffler or to operate a snowmobile with a modified muffler.

16 (c) Exception.--This section does not apply to organized
17 races or similar competitive events.

18 SUBCHAPTER E

19 MISCELLANEOUS PROVISIONS

20 Sec.

21 7751. Enforcement personnel and procedures.

22 7752. Penalties for violation of chapter.

23 7753. Actions for collection of penalties.

24 § 7751. Enforcement personnel and procedures.

25 (a) Duty of enforcement.--Every law enforcement officer in
26 this Commonwealth and designated officers and employees of the
27 department shall enforce the provisions of this chapter.

28 (b) Forms and procedures.--The department may prescribe the
29 form of summons or complaint, or both, in all cases involving a
30 violation of any provision of this chapter or of any ordinance,

1 rule or regulation relating to snowmobiles, or of any class or
2 category of such cases, and may establish procedures for proper
3 administrative controls over the disposition thereof.

4 (c) Records and reports.--The chief executive officer of
5 each local police force, sheriffs and the Commissioner of the
6 Pennsylvania State Police shall prepare or cause to be prepared
7 such records and reports as may be prescribed under this
8 section.

9 (d) Rules and regulations.--The department may promulgate
10 such rules and regulations as may be deemed necessary to
11 accomplish the purposes and enforce the provisions of this
12 section including requirements for reporting by trial courts
13 having jurisdiction over snowmobile violations.

14 § 7752. Penalties for violation of chapter.

15 (a) General rule.--Except as provided in subsection (b), any
16 person violating any of the provisions of this chapter is guilty
17 of a summary offense and shall, upon conviction:

18 (1) For a first offense, be sentenced to pay a fine of
19 not less than \$10 nor more than \$50 and costs of prosecution
20 and, in default of the payment thereof, shall undergo
21 imprisonment for not more than ten days.

22 (2) For a second offense, be sentenced to pay a fine of
23 not less than \$25 nor more than \$100 and costs of prosecution
24 and, in default of the payment thereof, shall undergo
25 imprisonment for not more than 30 days.

26 (b) Unauthorized disposition of forms.--Any person who
27 disposes of any uniform snowmobile summons or complaint in any
28 other manner than that prescribed by law, rule or regulation is
29 guilty of a misdemeanor of the third degree.

30 § 7753. Actions for collection of penalties.

1 (a) General rule.--An action to recover any penalty imposed
2 under the provisions of this chapter may be brought in any court
3 of competent jurisdiction in this Commonwealth on order of the
4 department and in the name of the Commonwealth. In any such
5 action all penalties incurred up to the time of commencing the
6 action may be sued for and recovered therein and the
7 commencement of an action to recover any such penalty shall not
8 be, or be held to be, a waiver of the right to recover any other
9 penalty. In case of recovery of any amount in an action brought
10 to recover any such penalty the Commonwealth shall be entitled
11 to recover full costs and at the rates provided for civil
12 actions.

13 (b) Duty and liability of witnesses.--No person shall be
14 excused from testifying or producing any books, papers or other
15 documents in any civil action to recover any such penalty, upon
16 the ground that his testimony might tend to convict him of an
17 offense or subject him to a penalty or forfeiture. No person
18 shall be prosecuted, punished or subjected to any penalty of
19 forfeiture for or on account of any such act, transaction,
20 matter or thing concerning which he shall, under oath, have
21 testified or produced documentary evidence and no testimony so
22 given or produced shall be received against him upon any
23 criminal investigation or proceeding. No person so testifying
24 shall be exempt from prosecution or punishment for any perjury
25 committed by him in his testimony. This subsection is not
26 intended to give, and shall not be construed as in any manner
27 giving, unto any corporation immunity of any kind.

28 (c) Plea of guilty.--A defendant charged with a violation of
29 any provision of this chapter may himself plead guilty to the
30 charge in open court. He may also submit to the judge having

1 jurisdiction, in person, by duly authorized agent, or by
2 registered mail, a statement setting forth the following:

3 (1) That he waives arraignment in open court and the aid
4 of counsel.

5 (2) That he pleads guilty to the offense as charged.

6 (3) That he elects and requests that the charge be
7 disposed of and the fine or penalty fixed by the court.

8 (4) Any explanation that he desires to make concerning
9 the offense charged.

10 (5) That he makes all statements under penalty of
11 perjury.

12 Thereupon the judge may proceed as though the defendant had been
13 convicted upon a plea of guilty in open court. Any imposition of
14 fine or penalty under this section shall be deemed tentative
15 until the fine or penalty has been paid and discharged in full.
16 If, upon receipt of the aforesaid statement, the judge shall
17 deny the same, he shall thereupon notify the defendant of this
18 fact and that he is required to appear before the said judge at
19 a stated time and place to answer the charge which shall
20 thereafter be disposed of pursuant to the applicable provisions
21 of law.

22 (d) Statement of disposition of case.--The court or justice
23 of the peace before whom any person shall be tried, or the clerk
24 of the court, shall, at the termination of the trial or
25 proceeding, forthwith mail or deliver to the department at
26 Harrisburg a certified statement of the disposition of the case
27 or proceeding giving the date thereof, the name of the
28 defendant, the date and place of the violation, the name of each
29 witness sworn in support of the charges and the amount of the
30 fine or penalty paid.

(e) Section not exclusive.--This section does not prohibit the prosecution of violations of this chapter in any court of competent jurisdiction in the same manner as other offenses.

CHAPTER 81

INTERSTATE COMPACTS AND AGREEMENTS

Subchapter

A. Bus Taxation Proration Agreement

B. Vehicle Equipment Safety Compact

SUBCHAPTER A

BUS TAXATION PRORATION AGREEMENT

Sec.

8101. Bus taxation proration agreement enacted.

8102. Secretary of Transportation to be administrator.

8103. Exemptions from agreement and changes in reporting.

8104. Governor to give notice of withdrawal from agreement.

8105. Applicability of other provisions of title.

§ 8101. Bus taxation proration agreement enacted.

The Bus Taxation Proration Agreement is hereby enacted into law and entered into with all jurisdictions legally joining therein in the form substantially as follows:

Article I

Purposes and Principles

Section 1. Purposes of Agreement.--It is the purpose of this agreement to set up a system whereby any contracting State may permit owners of fleets of buses operating in two or more States to prorate the registration of the buses in such fleets in each State in which the fleets operate on the basis of the proportion of miles operated within such State to total fleet miles, as defined herein.

Section 2. Principle of Proration of Registration.--It is

1 hereby declared that in making this agreement the contracting
2 States adhere to the principle that each State should have the
3 freedom to develop the kind of highway user tax structure that
4 it determines to be most appropriate to itself, that the method
5 of taxation of interstate buses should not be a determining
6 factor in developing its user tax structure, and that annual
7 taxes or other taxes of the fixed fee type upon buses which are
8 not imposed on a basis that reflects the amount of highway use
9 should be apportioned among the States, within the limits of
10 practicality, on the basis of vehicle miles traveled within each
11 of the States.

12 Article II

13 Definitions

14 (a) State.--State shall include the States of the United
15 States, the District of Columbia, the territories of the United
16 States, the Provinces of Canada, and the States, Territories and
17 Federal District of Mexico.

18 (b) Contracting State.--Contracting State shall mean a State
19 which is a party to this agreement.

20 (c) Administrator.--Administrator shall mean the official or
21 agency of a State administering the fee involved, or, in the
22 case of proration of registration, the official or agency of a
23 State administering the proration of registration in that State.

24 (d) Person.--Person shall include any individual, firm,
25 copartnership, joint venture, association, corporation, estate,
26 trust, business trust, receiver, syndicate, or any other group
27 or combination acting as a unit.

28 (e) Base State.--Base State shall mean the State from or in
29 which the bus is most frequently dispatched, garaged, serviced,
30 maintained, operated, or otherwise controlled, or also in the

1 case of a fleet bus the State to which it is allocated for
2 registration under statutory requirements. In order that this
3 section may not be used for the purpose of evasion of
4 registration fees, the administrators of the contracting States
5 may make the final decision as to the proper base State, in
6 accordance with Article III (h) hereof, to prevent, or avoid
7 such evasion.

8 (f) Bus.--Bus shall mean any motor vehicle of a bus type
9 engaged in the interstate transportation of passengers and
10 subject to the jurisdiction of the Interstate Commerce
11 Commission or any agency successor thereto, or one or more State
12 regulatory agencies concerned with the regulation of passenger
13 transport.

14 (g) Fleet.--As to each contracting State, fleet shall
15 include only those buses which actually travel a portion of
16 their total miles in such State. A fleet must include three (3)
17 or more buses.

18 (h) Registration.--Registration shall mean the registration
19 of a bus and the payment of annual fees and taxes as set forth
20 in or pursuant to the laws of the respective contracting States.

21 (i) Proration of Registration.--Proration of registration
22 shall mean registration of fleets of buses in accordance with
23 Article IV of this agreement.

24 (j) Reciprocity.--Reciprocity shall mean that each
25 contracting State, to the extent provided in this agreement,
26 exempts a bus from registration and registration fees.

27 Article III

28 General Provisions

29 (a) Effect on Other Agreements, Arrangements and
30 Understandings.--On and after its effective date, this agreement

1 shall supersede any reciprocal or other agreement, arrangement,
2 or understanding between any two or more of the contracting
3 States covering, in whole or in part, any of the matters covered
4 by this agreement; but this agreement shall not affect any
5 reciprocal or other agreement, arrangement, or understanding
6 between a contracting State and a State or States not a party to
7 this agreement.

8 (b) Applicability to Exempt Vehicles.--This agreement shall
9 not require registration in a contracting State of any vehicles
10 which are in whole or part exempt from registration under the
11 laws or regulations of such State without respect to this
12 agreement.

13 (c) Inapplicability of Caravanned Vehicle.--The benefits and
14 privileges of this agreement shall not be extended to a vehicle
15 operated on its own wheels, or in tow of a motor vehicle,
16 transported for the purpose of selling or offering the same for
17 sale to or by any agent, dealer, purchaser, or prospective
18 purchaser.

19 (d) Other Fees and Taxes.--This agreement does not waive any
20 fees or taxes charged or levied by any State in connection with
21 the ownership or operation of vehicles other than registration
22 fees as defined herein. All other fees and taxes shall be paid
23 to each State in accordance with the laws thereof.

24 (e) Statutory Vehicle Regulations.--This agreement shall not
25 authorize the operation of a vehicle in any contracting State
26 contrary to the laws or regulations thereof, except those
27 pertaining to registration and payment of fees; and with respect
28 to such laws or regulations only to the extent provided in this
29 agreement.

30 (f) Violations.--Each contracting State reserves the right

1 to withdraw, by order of the administrator thereof, all or any
2 part of the benefits or privileges granted pursuant to this
3 agreement from the owner of any vehicle or fleet of vehicles
4 operated in violation of any provision of this agreement. The
5 administrator shall immediately give notice of any such
6 violation and withdrawal of any such benefits or privileges to
7 the administrator of each other contracting State in which
8 vehicles of such owner are operated.

9 (g) Cooperation.--The administrator of each of the
10 contracting States shall cooperate with the administrators of
11 the others and each contracting State hereby agrees to furnish
12 such aid and assistance to each other within its statutory
13 authority as will aid in the proper enforcement of this
14 agreement.

15 (h) Interpretation.--In any dispute between or among
16 contracting States arising under this agreement, the final
17 decision regarding interpretation of questions at issue relating
18 to this agreement shall be reached by joint action of the
19 contracting States, acting through the administrator thereof,
20 and shall upon determination be placed in writing.

21 (i) Effect of Hearings.--Article and section heading
22 contained herein shall not be deemed to govern, limit, modify,
23 or in any manner affect the scope, meaning, or intent of the
24 provisions of any article or part hereof.

25 (j) Entry into Force.--This agreement shall enter into force
26 and become binding between and among the contracting States when
27 enacted or otherwise entered into by any two States. Thereafter,
28 it shall enter into force and become binding with respect to any
29 State when enacted into law by such State. If the statutes of
30 any State so authorize or provide, such State may become party

1 to this agreement upon the execution thereof by an executive or
2 administrative official thereof acting on behalf of and for such
3 State.

4 Article IV

5 Proration of Registration

6 (a) Applicability.--Any owner of a fleet may register the
7 buses of said fleet in any contracting State by paying to said
8 State total registration fees in an amount equal to that
9 obtained by applying the proportion of in-state fleet miles
10 divided by the total fleet miles, to the total fees which would
11 otherwise be required for regular registration of each and all
12 of such vehicles in such contracting State.

13 All fleet pro-rata registration fees shall be based upon the
14 mileage proportions of the fleet during the period of twelve
15 months ending on August 31 next preceding the commencement of
16 the registration year for which registration is sought: Except,
17 that mileage proportions for a fleet not operated during such
18 period in the State where application for registration is made
19 will be determined by the administrator upon the sworn
20 application of the applicant showing the operations during such
21 period in other States and the estimated operations during the
22 registration year for which registration is sought, in the State
23 in which application is being made; or if no operations were
24 conducted during such period, a full statement of the proposed
25 method of operation.

26 If any buses operate in two or more States which permit the
27 proration of registration on the basis of a fleet of buses
28 consisting of a lesser number of vehicles than provided in
29 Article II (g), such fleet may be prorated as to registration in
30 such States, in which event the buses in such fleet shall not be

1 required to register in any other contracting States if each
2 such vehicle is registered in some contracting State, except to
3 the extent it is exempt from registration as provided in Article
4 III (b).

5 If the administrator of any State determines, based on his
6 method of the operation thereof, that the inclusion of a bus or
7 buses as a part of a fleet would adversely affect the proper
8 fleet fee which should be paid to his State, having due regard
9 for fairness and equity, he may refuse to permit any or all of
10 such buses to be included in his State as a part of such fleet.

11 (b) Total Fleet Miles.--Total fleet miles, with respect to
12 each contracting State, shall mean the total miles operated by
13 the fleet (1) in such State, (2) in all other contracting
14 States, (3) in other States having proportional registration
15 provisions, (4) in States with which such contracting State has
16 reciprocity, and (5) in such other States as the administrator
17 determines should be included under the circumstances in order
18 to protect or promote the interest of his State; except that in
19 States having laws requiring proration on the bases of a
20 different determination of total fleet miles, total fleet miles
21 shall be determined on such basis.

22 (c) Leased Vehicles.--If a bus is operated by a person other
23 than the owner as a part of a fleet which is subject to the
24 provisions of this article, then the operator of such fleet
25 shall be deemed to be the owner of said bus for the purposes of
26 this article.

27 (d) Extent of Privileges.--Upon the registration of a fleet
28 in a contracting State pursuant to this article, each bus in the
29 fleet may be operated in both interstate and intrastate
30 operations in such State, except as provided in Article III (e).

1 (e) Application for Proration.--The application for
2 proration of registration shall be made in each contracting
3 State upon substantially the application forms and supplements
4 authorized by joint action of the administrators of the
5 contracting States.

6 (f) Issuance of Identification.--Upon registration of a
7 fleet, the State which is the base State of a particular bus of
8 the fleet, shall issue the required license plates and
9 registration card for such bus and each contracting State in
10 which the fleet of which such bus is a part, operates shall
11 issue a special identification identifying such bus as a part of
12 a fleet which has fully complied with the registration
13 requirements of such State. The required license plates,
14 registration cards and identification shall be appropriately
15 displayed in the manner required by or pursuant to the laws of
16 each respective State.

17 (g) Additions to Fleet.--If any bus is added to a prorated
18 fleet after the filing of the original application, the owner
19 shall file a supplemental application. The owner shall register
20 such bus in each contracting State in like manner as provided
21 for buses listed in an original application and the registration
22 fee payable shall be determined on the mileage proportion used
23 to determine the registration fees payable for buses registered
24 under the original application.

25 (h) Withdrawals from Fleet.--If any bus is withdrawn from a
26 prorated fleet during the period for which it is registered or
27 identified, the owner shall notify the administrator of each
28 State in which it is registered or identified of such withdrawal
29 and shall return the plates, and registration card or
30 identification as may be required by or pursuant to the laws of

1 the respective States.

2 (i) Audits.--The administrator of each contracting State
3 shall, within the statutory authority of such administrator,
4 make any information obtained upon an audit of records of any
5 applicant for proration of registration available to the
6 administrators of the other contracting States.

7 (j) Errors in Registration.--If it is determined by the
8 administrator of a contracting State, as a result of such audits
9 or otherwise, that an improper fee has been paid his State, or
10 errors in registration found, the administrator may require the
11 fleet owner to make the necessary corrections in the
12 registration of his fleet and payment of fees.

13 Article V

14 Reciprocity

15 (a) Grant of Reciprocity.--Each of the contracting States
16 grants reciprocity as provided in this article.

17 (b) Applicability.--The provisions of this agreement with
18 respect to reciprocity shall apply only to a bus properly
19 registered in the base State of the bus, which State must be a
20 contracting State.

21 (c) Non-applicability to Fleet Buses.--The reciprocity
22 granted pursuant to this article shall not apply to a bus which
23 is entitled to be registered or identified as part of a prorated
24 fleet.

25 (d) Extent of Reciprocity.--The reciprocity granted pursuant
26 to this article shall permit the interstate operation of a bus
27 and intrastate operation which is incidental to a trip of such
28 bus involving interstate operation.

29 (e) Other Agreements.--Nothing in this agreement shall be
30 construed to prohibit any of the contracting States from

1 entering into separate agreements with each other for the
2 granting of temporary permits for the intrastate operation of
3 vehicles registered in the other State; nor to prevent any of
4 the contracting States from entering into agreements to grant
5 reciprocity for intrastate operation within any zone or zones
6 agreed upon by the States.

7 Article VI

8 Withdrawal or Revocation

9 Any contracting State may withdraw from this agreement upon
10 thirty (30) days written notice to each other contracting State,
11 which notice shall be given only after the repeal of this
12 agreement by the legislature of such State, if adoption was by
13 legislative act, or after renunciation by the appropriate
14 administrative official of such contracting State if the laws
15 thereof empower him so to renounce.

16 Article VII

17 Construction and Severability

18 This Compact shall be liberally construed so as to effectuate
19 the purposes thereof. The provisions of this Compact shall be
20 severable and if any phrase, clause, sentence or provision of
21 this Compact is declared to be contrary to the Constitution of
22 any State or of the United States or the applicability thereof
23 to any government, agency, person or circumstance is held
24 invalid, the validity of the remainder of this Compact and the
25 applicability thereof to any government, agency, person or
26 circumstance shall not be affected thereby. If this Compact
27 shall be held contrary to the Constitution of any State
28 participating herein, the Compact shall remain in full force and
29 effect as to the remaining party States and in full force and
30 effect as to the State affected as to all severable matters.

1 § 8102. Secretary of Transportation to be administrator.

2 As used in the agreement, with reference to this State, the
3 term "administrator" shall mean the Secretary of Transportation.

4 § 8103. Exemptions from agreement and changes in reporting.

5 (a) General rule.--The Secretary of Transportation shall have
6 the power to make such exemptions from the coverage of the
7 agreement as may be appropriate and to make such changes in
8 methods for the reporting of any information required to be
9 furnished to this State pursuant to the agreement as, in his
10 judgment, shall be suitable.

11 (b) Limitations.--Any such exemptions or changes shall not
12 be contrary to the purposes set forth in Article I of the
13 agreement and shall be made in order to permit the continuance
14 of uniformity of practice among the contracting states with
15 respect to buses.

16 (c) Authority exercised by rule or regulation.--Any such
17 exemptions or changes shall be made by rule or regulation and
18 shall not be effective unless made in accordance with the act of
19 July 31, 1968 (P.L.769, No.240), known as the "Commonwealth
20 Documents Law".

21 § 8104. Governor to give notice of withdrawal from agreement.

22 Unless otherwise provided in any statute withdrawing this
23 State from participation in the agreement, the Governor shall be
24 the officer to give notice of withdrawal therefrom.

25 § 8105. Applicability of other provisions of title.

26 The other provisions of this title shall, to the extent that
27 they are inconsistent with the Compact, be inapplicable to the
28 registration of buses as the term is defined in the Compact.

29 SUBCHAPTER B

30 VEHICLE EQUIPMENT SAFETY COMPACT

1 Sec.
2 8111. Vehicle equipment safety compact enacted.
3 8112. Legislative findings.
4 8113. Applicability of other provisions of title.
5 8114. Statutory approval of commission rule, regulation or
6 order.
7 8115. Secretary of Transportation to be commissioner.
8 8116. State employees retirement coverage for commission
9 employees.
10 8117. Cooperation of State agencies with commission.
11 8118. Document filings and notices under bylaws.
12 8119. Submission of commission budgets.
13 8120. Inspection of commission accounts by Auditor General.
14 8121. Governor as executive head.
15 8122. Penalty for violation of compact.
16 § 8111. Vehicle equipment safety compact enacted.

17 The Vehicle Equipment Safety Compact is hereby enacted into
18 law and entered into with all other jurisdictions legally
19 joining therein in the form substantially as follows:

20 Article I

21 Findings and Purposes

22 (a) The party states find that:

23 (1) Accidents and deaths on their streets and highways
24 present a very serious human and economic problem with a major
25 deleterious effect on the public welfare.

26 (2) There is a vital need for the development of greater
27 interjurisdictional cooperation to achieve the necessary
28 uniformity in the laws, rules, regulations and codes relating to
29 vehicle equipment, and to accomplish this by such means as will
30 minimize the time between the development of demonstrably and

1 scientifically sound safety features and their incorporation
2 into vehicles.

3 (b) The purposes of this compact are to:

4 (1) Promote uniformity in regulation of and standards for
5 equipment.

6 (2) Secure uniformity of law and administrative practice in
7 vehicular regulation and related safety standards to permit
8 incorporation of desirable equipment changes in vehicles in the
9 interest of greater traffic safety.

10 (3) To provide means for the encouragement and utilization
11 of research which will facilitate the achievement of the
12 foregoing purposes, with due regard for the findings set forth
13 in subdivision (a) of this Article.

14 (c) It is the intent of this compact to emphasize
15 performance requirements and not to determine the specific
16 detail of engineering in the manufacture of vehicles or
17 equipment except to the extent necessary for the meeting of such
18 performance requirements.

19 Article II

20 Definitions

21 As used in this compact:

22 (a) "Vehicle" means every device in, upon or by which any
23 person or property is or may be transported or drawn upon a
24 highway, excepting devices moved by human power or used
25 exclusively upon stationary rails or tracks.

26 (b) "State" means a state, territory or possession of the
27 United States, the District of Columbia, or the Commonwealth of
28 Puerto Rico.

29 (c) "Equipment" means any part of a vehicle or any accessory
30 for use thereon which effects the safety of operation of such

1 vehicle or the safety of the occupants.

2 Article III

3 The Commission

4 (a) There is hereby created an agency of the party states to
5 be known as the "Vehicle Equipment Safety Commission"
6 hereinafter called the commission. The commission shall be
7 composed of one commissioner from each party state who shall be
8 appointed, serve and be subject to removal in accordance with
9 the laws of the state which he represents. If authorized by the
10 laws of his party state, a commissioner may provide for the
11 discharge of his duties and the performance of his functions on
12 the commission, either for the duration of his membership or for
13 any lesser period of time, by an alternate. No such alternate
14 shall be entitled to serve unless notification of his identity
15 and appointment shall have been given to the commission in such
16 form as the commission may require. Each commissioner, and each
17 alternate, when serving in the place and stead of a
18 commissioner, shall be entitled to be reimbursed by the
19 commission for expenses actually incurred in attending
20 commission meetings or while engaged in the business of the
21 commission.

22 (b) The commissioners shall be entitled to one vote each on
23 the commission. No action of the commission shall be binding
24 unless taken at a meeting at which a majority of the total
25 number of votes on the commission are cast in favor thereof.
26 Action of the commission shall be only at a meeting at which a
27 majority of the commissioners, or their alternates, are present.

28 (c) The commission shall have a seal.

29 (d) The commission shall elect annually, from among its
30 members, a chairman, a vice chairman and a treasurer. The

1 commission may appoint an Executive Director and fix his duties
2 and compensation. Such Executive Director shall serve at the
3 pleasure of the commission, and together with the treasurer
4 shall be bonded in such amount as the commission shall
5 determine. The Executive Director also shall serve as secretary.
6 If there be no Executive Director, the commission shall elect a
7 secretary in addition to the other officers provided by this
8 subdivision.

9 (e) Irrespective of the civil service, personnel or other
10 merit system laws of any of the party states, the Executive
11 Director with the approval of the commission, or the commission
12 if there be no Executive Director, shall appoint, remove or
13 discharge such personnel as may be necessary for the performance
14 of the commission's functions, and shall fix the duties and
15 compensation of such personnel.

16 (f) The commission may establish and maintain independently
17 or in conjunction with any one or more of the party states, a
18 suitable retirement system for its full time employees.
19 Employees of the commission shall be eligible for social
20 security coverage in respect of old age and survivor's insurance
21 provided that the commission takes such steps as may be
22 necessary pursuant to the laws of the United States, to
23 participate in such program of insurance as a governmental
24 agency or unit. The commission may establish and maintain or
25 participate in such additional programs of employee benefits as
26 may be appropriate.

27 (g) The commission may borrow, accept or contract for the
28 services of personnel from any party state, the United States,
29 or any subdivision or agency of the aforementioned governments,
30 or from any agency of two or more of the party states or their

1 subdivisions.

2 (h) The commission may accept for any of its purposes and
3 functions under this compact any and all donations, and grants
4 of money, equipment, supplies, materials, and services,
5 conditional or otherwise, from any state, the United States, or
6 any other governmental agency and may receive, utilize, and
7 dispose of the same.

8 (i) The commission may establish and maintain such
9 facilities as may be necessary for the transacting of its
10 business. The commission may acquire, hold, and convey real and
11 personal property and any interest therein.

12 (j) The commission shall adopt bylaws for the conduct of its
13 business and shall have the power to amend and rescind these
14 bylaws. The commission shall publish its bylaws in convenient
15 form and shall file a copy thereof and a copy of any amendment
16 thereto, with the appropriate agency or officer in each of the
17 party states. The bylaws shall provide for appropriate notice to
18 the commissioners of all commission meetings and hearings and
19 the business to be transacted at such meetings or hearings. Such
20 notice shall also be given to such agencies or officers of each
21 party state as the laws of such party state may provide.

22 (k) The commission annually shall make the Governor and
23 Legislature of each party state a report covering the activities
24 of the commission for the preceding year, and embodying such
25 recommendations as may have been issued by the commission. The
26 commission may make such additional reports as it may deem
27 desirable.

28 Article IV

29 Research and Testing

30 The commission shall have power to:

1 (a) Collect, correlate, analyze and evaluate information
2 resulting or derivable from research and testing activities in
3 equipment and related fields.

4 (b) Recommend and encourage the undertaking of research and
5 testing in any aspect of equipment or related matters when, in
6 its judgment, appropriate or sufficient research or testing has
7 not been undertaken.

8 (c) Contract for such equipment research and testing as one
9 or more governmental agencies may agree to have contracted for
10 by the commission: Provided, That such governmental agency or
11 agencies shall make available the funds necessary for such
12 research and testing.

13 (d) Recommend to the party states changes in law or policy
14 with emphasis on uniformity of laws and administrative rules,
15 regulations or codes which would promote effective governmental
16 action or coordination in the prevention of equipment-related
17 highway accidents or the mitigation of equipment-related highway
18 safety problems.

19 Article V

20 Vehicular Equipment

21 (a) In the interest of vehicular and public safety, the
22 commission may study the need for or desirability of the
23 establishment of or changes in performance requirements or
24 restrictions for any item of equipment. As a result of such
25 study, the commission may publish a report relating to any item
26 or items of equipment, and the issuance of such a report shall
27 be a condition precedent to any proceedings or other action
28 provided or authorized by this Article. No less than sixty days
29 after the publication of a report containing the results of such
30 study, the commission upon due notice shall hold a hearing or

1 hearings at such place or places as it may determine.

2 (b) Following the hearing or hearings provided for in
3 subdivision (a) of this Article, and with due regard for
4 standards recommended by appropriate professional and technical
5 associations and agencies, the commission may issue rules,
6 regulations or codes embodying performance requirements or
7 restrictions for any item or items of equipment covered in the
8 report, which in the opinion of the commission will be fair and
9 equitable and effectuate the purposes of this compact.

10 (c) Each party state obligates itself to give due
11 consideration to any and all rules, regulations and codes issued
12 by the commission and hereby declares its policy and intent to
13 be the promotion of uniformity in the laws of the several party
14 states relating to equipment.

15 (d) The commission shall send prompt notice of its action in
16 issuing any rule, regulation or code pursuant to this Article to
17 the appropriate motor vehicle agency of each party state and
18 such notice shall contain the complete text of the rule,
19 regulation or code.

20 (e) If the constitution of a party state requires, or if its
21 statutes provide, the approval of the Legislature by appropriate
22 resolution or act may be made a condition precedent to the
23 taking effect in such party state of any rule, regulation or
24 code. In such event, the commissioner of such party state shall
25 submit any commission rule, regulation or code to the
26 Legislature as promptly as may be in lieu of administrative
27 acceptance or rejection thereof by the party state.

28 (f) Except as otherwise specifically provided in or pursuant
29 to subdivisions (e) and (g) of this Article, the appropriate
30 motor vehicle agency of a party state shall in accordance with

1 its constitution or procedural laws adopt the rule, regulation
2 or code within six months of the sending of the notice, and,
3 upon such adoption, the rule, regulation or code shall have the
4 force and effect of law therein.

5 (g) The appropriate motor vehicle agency of a party state
6 may decline to adopt a rule, regulation or code issued by the
7 commission pursuant to this Article, if such agency specifically
8 finds after public hearing on due notice, that a variation from
9 the commission's rule, regulation or code is necessary to the
10 public safety and incorporates in such finding the reasons upon
11 which it is based. Any such finding shall be subject to review
12 by such procedure for review of administrative determinations as
13 may be applicable pursuant to the laws of the party state. Upon
14 request, the commission shall be furnished with a copy of the
15 transcript of any hearings held pursuant to this subdivision.

16 Article VI

17 Finance

18 (a) The commission shall submit to the executive head or
19 designated officer or officers of each party state a budget of
20 its estimated expenditures for such period as may be required by
21 the laws of that party state for presentation to the Legislature
22 thereof.

23 (b) Each of the commission's budgets of estimated
24 expenditures shall contain specific recommendations of the
25 amount or amounts to be appropriated by each of the party
26 states. The total amount of appropriations under any such budget
27 shall be apportioned among the party states as follows: one-
28 third in equal shares; and the remainder in proportion to the
29 number of motor vehicles registered in each party state. In
30 determining the number of such registrations, the commission may

1 employ such source or sources of information as, in its judgment
2 present the most equitable and accurate comparisons among the
3 party states. Each of the commission's budgets of estimated
4 expenditures and requests for appropriations shall indicate the
5 source or sources used in obtaining information concerning
6 vehicular registrations.

7 (c) The commission shall not pledge the credit of any party
8 state. The commission may meet any of its obligations in whole
9 or in part with funds available to it under Article III (h) of
10 this compact: Provided, That the commission takes specific
11 action setting aside such funds prior to incurring any
12 obligation to be met in whole or in part in such manner. Except
13 where the commission makes use of funds available to it under
14 Article III (h) hereof, the commission shall not incur any
15 obligation prior to the allotment of funds by the party states
16 adequate to meet the same.

17 (d) The commission shall keep accurate accounts of all
18 receipts and disbursements. The receipts and disbursements of
19 the commission shall be subject to the audit and accounting
20 procedures established under its rules. However, all receipts
21 and disbursements of funds handled by the commission shall be
22 audited yearly by a qualified public accountant and the report
23 of the audit shall be included in and become part of the annual
24 reports of the commission.

25 (e) The accounts of the commission shall be open at any
26 reasonable time for inspection by duly constituted officers of
27 the party states and by any persons authorized by the
28 commission.

29 (f) Nothing contained herein shall be construed to prevent
30 commission compliance with laws relating to audit or inspection

1 of accounts by or on behalf of any government contributing to
2 the support of the commission.

3 Article VII

4 Conflict of Interest

5 (a) The commission shall adopt rules and regulations with
6 respect to conflict of interest for the commissioners of the
7 party states, and their alternates, if any, and for the staff of
8 the commission and contractors with the commission to the end
9 that no member or employe or contractor shall have a pecuniary
10 or other incompatible interest in the manufacture, sale or
11 distribution of motor vehicles or vehicular equipment or in any
12 facility or enterprise employed by the commission or on its
13 behalf for testing, conduct of investigation or research. In
14 addition to any penalty for violation of such rules and
15 regulations as may be applicable under the laws of the
16 violator's jurisdiction of residence, employment or business,
17 any violation of a commission rule or regulation adopted
18 pursuant to this Article shall require the immediate discharge
19 of any violating employe and the immediate vacating of
20 membership, or relinquishing of status as a member on the
21 commission by any commissioner or alternate. In the case of a
22 contractor, any violation of any such rule or regulation shall
23 make any contract of the violator with the commission subject to
24 cancellation by the commission.

25 (b) Nothing contained in this Article shall be deemed to
26 prevent a contractor for the commission from using any
27 facilities subject to his control in the performance of the
28 contract even though such facilities are not devoted solely to
29 work of or done on behalf of the commission; nor to prevent such
30 a contractor from receiving remuneration or profit from the use

1 of such facilities.

2 Article VIII

3 Advisory and Technical Committees

4 The commission may establish such advisory and technical
5 committees as it may deem necessary, membership on which may
6 include private citizens and public officials, and may cooperate
7 with and use the services of any such committees and the
8 organizations which the members represent in furthering any of
9 its activities.

10 Article IX

11 Entry Into Force and Withdrawal

12 (a) This compact shall enter into force when enacted into
13 law by any six or more states. Thereafter, this compact shall
14 become effective as to any other state upon its enactment
15 thereof.

16 (b) Any party state may withdraw from this compact by
17 enacting a statute repealing the same, but no such withdrawal
18 shall take effect until one year after the executive head of the
19 withdrawing state has given notice in writing of the withdrawal
20 to the executive heads of all other party states. No withdrawal
21 shall affect any liability already incurred by or chargeable to
22 a party state prior to the time of such withdrawal.

23 Article X

24 Construction and Severability

25 This compact shall be liberally construed so as to effectuate
26 the purposes thereof. The provisions of this compact shall be
27 severable and if any phrase, clause, sentence or provision of
28 this compact is declared to be contrary to the Constitution of
29 any state or of the United States or the applicability thereof
30 to any government, agency, person or circumstance is held

1 invalid, the validity of the remainder of this compact and the
2 applicability thereof to any government, agency, person or
3 circumstance shall not be affected thereby. If this compact
4 shall be held contrary to the constitution of any state
5 participating herein, the compact shall remain in full force and
6 effect as to the remaining party states and in full force and
7 effect as to the state affected as to all severable matters.

8 § 8112. Legislative findings.

9 The General Assembly finds that:

10 (1) The public safety necessitates the continuous
11 development, modernization and implementation of standards
12 and requirements of law relating to vehicle equipment in
13 accordance with expert knowledge and opinion.

14 (2) The public safety further required that such
15 standards and requirements be uniform from jurisdiction to
16 jurisdiction except to the extent that specific and
17 compelling evidence supports variation.

18 (3) The Department of Transportation, acting upon
19 recommendations of the Vehicle Equipment Safety Commission
20 and pursuant to the Vehicle Equipment Safety Compact,
21 provides a just, equitable and orderly means of promoting the
22 public safety in the manner and within the scope contemplated
23 by this subchapter.

24 § 8113. Applicability of other provisions of title.

25 Any other provision of this title shall continue to be of
26 force and effect only until superseded by a rule, regulation or
27 code adopted by the Department of Transportation pursuant to the
28 Vehicle Equipment Safety Compact. Any such rule, regulation or
29 code shall specify the provision or provisions of existing
30 statute being superseded in accordance with and as required by

1 this subchapter. Any such provision or provisions are hereby
2 repealed, effective on the date when the rule, regulation or
3 code superseding such provision or provisions becomes effective
4 pursuant to the Vehicle Equipment Safety Compact, but any
5 violations occurring before the said date shall be prosecuted
6 under the other provisions of this title.

7 § 8114. Statutory approval of commission rule, regulation or
8 code.

9 Pursuant to Article V (e) of the Vehicle Equipment Safety
10 Compact, it is the intention of the General Assembly and it is
11 hereby provided that no rule, regulation or code issued by the
12 Vehicle Equipment Safety Commission in accordance with Article V
13 of the compact shall take effect until approved by statute.

14 § 8115. Secretary of Transportation to be commissioner.

15 (a) General rule.-- The commissioner of this State on the
16 Vehicle Equipment Safety Commission shall be the Secretary of
17 Transportation who shall serve during his continuance as the
18 secretary.

19 (b) Appointment and authority of alternate.--The
20 commissioner of this State appointed pursuant to this section
21 may designate an alternate from among the officers and employees
22 of the department to serve in his place and stead on the Vehicle
23 Equipment Safety Commission. Subject to the provisions of the
24 compact and bylaws of the Vehicle Equipment Safety Commission,
25 the authority and responsibilities of such alternate shall be as
26 determined by the commissioner designating such alternate.

27 § 8116. State employees retirement coverage for commission
28 employees.

29 The State Employees' Retirement System may make an agreement
30 with the Vehicle Equipment Safety Commission for the coverage of

1 the commission's employees pursuant to Article III (f) of the
2 compact. Any such agreement, as nearly as may be, shall provide
3 for arrangements similar to those available to the employees of
4 this State and shall be subject to amendment or termination in
5 accordance with its terms.

6 § 8117. Cooperation of State agencies with commission.

7 Within appropriations available therefor, the departments,
8 agencies and officers of the government of this State may
9 cooperate with and assist the Vehicle Equipment Safety
10 Commission within the scope contemplated by Article III (h) of
11 the compact. The departments, agencies and officers of the
12 government of this State are authorized generally to cooperate
13 with said commission.

14 § 8118. Document filings and notices under bylaws.

15 Filing of documents as required by Article III (j) of the
16 compact shall be with the Department of Transportation. Any and
17 all notices required by commission bylaws to be given pursuant
18 to Article III (j) of the compact shall be given to the
19 commissioner of this State or his alternate, if any.

20 § 8119. Submission of commission budgets.

21 Pursuant to Article VI (a) of the compact, the Vehicle
22 Equipment Safety Commission shall submit its budgets to the
23 Department of Transportation.

24 § 8120. Inspection of commission accounts by Auditor General.

25 Pursuant to Article VI (e) of the compact, the Auditor
26 General is hereby empowered and authorized to inspect the
27 accounts of the Vehicle Equipment Safety Commission.

28 § 8121. Governor as executive head.

29 The term "executive head" as used in Article IX (b) of the
30 compact shall, with reference to this State, mean the Governor.

1 § 8122. Penalty for violation of compact.

2 Any person violating the provisions of Article VII of the
3 compact and rules made pursuant thereto is guilty of a
4 misdemeanor of the third degree.

5 Section 2. Transition Provisions.

6 (a) Suspensions.--All suspensions ordered by the Secretary
7 of Transportation under former section 618(b)(2) of the act of
8 April 29, 1959 (P.L.58, No.32), known as "The Vehicle Code," are
9 rescinded as of the effective date of the point system as set
10 forth in section 7 of this act and the secretary shall not order
11 any further suspensions under former section 618(b)(2) for
12 violations committed prior to such effective date.

13 (b) Points.--All points assigned to the records of licensed
14 persons under former section 619.1 of "The Vehicle Code," shall
15 be deleted from the records of the licensees and thereafter may
16 not be used as a basis for suspension of operating privileges
17 and no points shall be added to the records of any licensees on
18 account of any violations committed prior to the effective date
19 of the point system as set forth in section 7 of this act.

20 (c) Return of suspended licenses.--The department shall
21 return the licenses of all drivers who are serving suspensions
22 under former sections 618(b)(2) or 619.1 of "The Vehicle Code."
23 Such drivers shall not drive until they have received their
24 licenses.

25 (d) Purge of records.--

26 (1) All suspensions and convictions under former
27 sections 618(b)(2) and 619.1 of "The Vehicle Code" which
28 occurred prior to July 1, 1973, shall be purged from the
29 records of licensees on June 30, 1976.

30 (2) All other suspensions and convictions under former

1 sections 618(b)(2) and 619.1 of "The Vehicle Code" shall be
2 purged from the records of licensees on June 30, 1979.

3 (3) No suspensions and convictions under former sections
4 618(b)(2) and 619.1 of "The Vehicle Code" shall constitute
5 prior suspensions for the purpose of determining the length
6 of suspensions under 75 Pa.C.S. § 1539 (relating to
7 suspension of operating privilege or accumulation of points).

8 (e) Implementing regulations.--Immediately upon the final
9 enactment of this act, the Department of Transportation shall
10 promulgate regulations to implement the provisions of 75 Pa.C.S.
11 §§ 1535 (relating to schedule of convictions and points) through
12 1539 (relating to suspension of operating privilege or
13 accumulation of points) by assigning points as prescribed in 75
14 Pa.C.S. § 1535(a) for similar violations occurring prior to the
15 effective date of this act under the act of April 29, 1959
16 (P.L.58, No.32), known as "The Vehicle Code." The regulations
17 may be promulgated without compliance with statutory
18 requirements relating to notice of proposed rule making and
19 public hearings, may be made effective immediately upon
20 publication in the Pennsylvania Bulletin and may be made
21 retroactive to the date of final enactment of this act.

22 (f) Staggered registration renewal system.--The system of
23 staggered registration renewal provided for in 75 Pa.C.S. § 1307
24 (relating to period of registration) as added by this act shall
25 be implemented no later than July 1, 1978 in coordination with
26 the expiration of registration periods for various types of
27 vehicles under existing law.

28 (g) Colored photo on driver's license.--The requirement for
29 a color photograph on a driver's license provided for in 75
30 Pa.C.S. § 1510 (relating to issuance and content of driver's

1 license) as added by this act shall be implemented no later than
2 July 1, 1978.

3 (h) Exemption of existing drivers from examination.--At the
4 time of the first renewal followinh the effective date of this
5 act, a driver holding a valid driver's license issued by the
6 department may have the renewed driver's license endorsed with
7 one or more classes of vehicles based on experience in driving
8 the classes of vehicles without undergoing an examination.

9 Section 3. Fines and Penalties under Vehicle Code of 1959.

10 (a) Grading of offenses and amount of fines.--

11 (1) Any person convicted of violating section 1022
12 (unattended motor vehicle) of the act of April 29, 1959
13 (P.L.58, No.32), known as "The Vehicle Code," shall be
14 sentenced to pay a fine of \$5.

15 (2) Any person convicted of violating section 1021
16 (parking in prohibited places) or 1021.1 (parking on private
17 property) of "The Vehicle Code" shall be sentenced to pay a
18 fine of \$15.

19 (3) Any person convicted of violating any of the
20 following sections of "The Vehicle Code" shall be sentenced
21 to pay a fine of \$25:

22	Section	Subject
23	1001	Reckless driving
24	1003	Obeying railroad warning signs
25	1004	Driving on right side of highway
26	1005	Intersection and railway grade crossings
27	1006	Meeting of vehicles
28	1007	Overtaking a vehicle
29	1008	Limitations on overtaking and passing
30	1009	Giving way to overtaking vehicle

1	1010	Following too closely
2	1010.1	Motorcycles abreast of each other
3	1011	Turning at intersection
4	1012	Signals for certain movements
5	1013	Right-of-way
6	1014	Exceptions to right-of-way rule
7	1015	Actions on approach of emergency vehicles
8	1016	Stopping at highways and intersections
9	1016.1	Yielding right-of-way
10	1017	Passing streetcars
11	1018	Passing school buses
12	1019	Safety zone and medial strip violations
13	1020	Stopping on highway
14	1024	Tampering with vehicles
15	1027(c)	Duty to stop in event of accident
16	1027(d)	Duty to stop in event of accident
17	1028	Traffic signal interpretations
18	1029	Stopping at railway grade crossings
19	1030	Driving over fire hose
20	1031	Speed on bridges
21	1032	Soliciting business along highway
22	1033	Pedestrians soliciting rides
23	1034	Multiple beam road lighting equipment
24	1036	Driving on Pennsylvania Turnpike
25	1039	Protection of blind pedestrians
26	1040	Passengers in trailers

27 (4) Any person convicted of violating section 1002
 28 (restrictions as to speed) of "The Vehicle Code" shall be
 29 sentenced to pay a fine of \$35 and, if convicted of exceeding
 30 the maximum speed limit by more than five miles per hour, an

1 additional fine of \$2 per mile for each mile in excess of
2 five miles per hour over the maximum speed limit.

3 (5) Any person convicted of violating section 1043(a)
4 (abandonment of motor vehicle) of "The Vehicle Code" shall be
5 sentenced to pay a fine of \$50 and costs of disposing of the
6 vehicle under sections 1222 through 1222.6.

7 (6) Any person convicted of violating section 1018
8 (passing school buses) of "The Vehicle Code" shall be
9 sentenced to pay a fine of \$100.

10 (7) Any person violating section 1038 (driving without
11 lights to avoid identification or arrest), 1041 (speed
12 contests and drag races) or 1043(b) (stripping of motor
13 vehicle) of "The Vehicle Code" is guilty of a summary offense
14 and, upon conviction, shall be sentenced to pay a fine of
15 \$200.

16 (8) Any person convicted of violating section 1025
17 (throwing or dumping material from vehicle) of "The Vehicle
18 Code" shall be sentenced to pay a fine not exceeding \$300.

19 (9) Any person violating sections 1027(a),(b) or (c)
20 (duty to stop in event of accident) or 1037 (driving under
21 influence of liquor or drugs) of "The Vehicle Code" is guilty
22 of a misdemeanor of the third degree and subject to the
23 penalties prescribed by law.

24 (b) Disposition of fines, penalties and forfeitures.--

25 (1) State Police enforcement.--When prosecution under
26 the provisions of "The Vehicle Code" is the result of State
27 Police action, all fines and penalties and all bail forfeited
28 shall be paid to the Department of Revenue, transmitted to
29 the State Treasury and credited to the Motor License Fund.
30 One-half of the revenue shall be paid to municipalities in

1 the same ratio provided in section 4 of the act of June 1,
2 1956 (P.L.1944, No.655), relating to partial allocation of
3 liquid fuels and fuel use tax proceeds.

4 (2) Local police enforcement except for parking.--When
5 prosecution under the provisions of "The Vehicle Code,"
6 except for parking, is the result of local police action,
7 one-half of all fines and penalties and all bail forfeited
8 shall be paid to the political subdivision under which the
9 local police are organized and one-half to the Department of
10 Revenue, transmitted to the State Treasury and credited to
11 the Motor License Fund.

12 (3) Local police enforcement of parking.--When
13 prosecution under the provisions of "The Vehicle Code" for
14 parking is the result of local police action, all fines and
15 penalties and all bail forfeited shall be paid to the
16 political subdivision under which the local police are
17 organized.

18 (c) Costs.--

19 (1) Except as provided in paragraph (2), any person
20 convicted of a summary offense under "The Vehicle Code"
21 shall, in addition to the fine imposed, be sentenced to pay
22 \$10 as costs of the issuing authority which costs shall
23 include all charges including, when called for, the costs of
24 postage and registered or certified mail and the costs of
25 giving a transcript to the prosecutor or defendant, or both,
26 if requested.

27 (2) Where the person charged with a summary offense
28 under "The Vehicle Code" demands a hearing, the costs of the
29 issuing authority shall be \$15, which costs shall include all
30 charges including the charges specified in paragraph (1).

1 (d) Expiration of section.--This section shall expire upon
2 the effective date of this act as set forth in section 8(a) of
3 this act.

4 Section 4. Saving Provision.--The provisions of Title 75 of
5 the Pennsylvania Consolidated Statutes as added by this act
6 shall not affect any act done, liability incurred, or right
7 accrued or vested, or affect any suit or prosecution pending or
8 to be instituted to enforce any right or penalty, or punish any
9 offense, under the authority of any statute repealed by this
10 act.

11 Section 5. Severability.--If any provision of this act or
12 the application thereof to any person or circumstances is held
13 invalid, such invalidity shall not affect other provisions or
14 applications of the act which can be given effect without the
15 invalid provision or application, and to this end the provisions
16 of this act are declared to be severable.

17 Section 6. Applicability of Statutory Construction Act.--The
18 provisions of 1 Pa.C.S. §§ 1952 (relating to effect of separate
19 amendments on code provisions enacted by same General Assembly)
20 and 1974 (relating to effect of separate repeals on code
21 provisions by same General Assembly) shall not be applicable to
22 any provisions of Title 75 of the Pennsylvania Consolidated
23 Statutes as added by this act or any act repealed by this act.

24 Section 7. Repeals.

25 (a) Specific repeals.--The following acts are repealed:

26 Act of April 23, 1889 (P.L.44, No.43), entitled "An act
27 defining the rights and regulating the use of bicycles and
28 tricycles."

29 Act of April 1, 1925 (P.L.100, No.71), entitled "An act
30 making it unlawful to drive over certain inter-state bridges

1 with loads of excessive weight; and inflicting penalties."

2 Act of May 14, 1929 (P.L.1721, No.563), entitled, as amended,
3 "An act providing for the service of process in civil suits on
4 nonresident operators, nonresident owners or nonresident persons
5 in whose behalf a motor vehicle or motor boat is being operated
6 or motor vehicles or motor boats operated within the
7 Commonwealth of Pennsylvania; and making the operation of such a
8 motor vehicle or motor boat on the public highways or on inland
9 or tidal waters of the Commonwealth of Pennsylvania the
10 equivalent of the appointment of the Secretary of the
11 Commonwealth of the Commonwealth of Pennsylvania as the agent of
12 the said nonresident, upon whom civil process may be served; and
13 providing for further notice to the defendant in any such suit."

14 Act of May 10, 1951 (P.L.275, No.48), entitled "An act
15 authorizing, in certain cases, the renewal of motor vehicle
16 operators' licenses for persons honorably discharged from the
17 armed forces of the United States or from any women's
18 organization officially connected therewith, without a learner's
19 permit, examination or additional fee; and while in such
20 service, the operation of motor vehicles without renewal of
21 operator's license; and the temporary suspension of existing
22 laws requiring the same."

23 Act of April 29, 1959 (P.L.58, No.32), known as "The Vehicle
24 Code."

25 Act of August 1, 1963 (P.L.479, No.250), entitled "An act
26 providing for a system of registration of motor buses and
27 omnibuses on a proration basis among States adopting the same
28 procedure."

29 Act of August 6, 1963 (P.L.536, No.286), entitled "An act
30 providing for the entry of the Commonwealth into a compact with

1 other states relating to vehicle safety equipment and imposing
2 powers and duties on the Department of Revenue, the Auditor
3 General and the Governor in relation thereto."

4 Act of August 12, 1971 (P.L.299, No.75), entitled "An act
5 regulating snowmobiles, providing for registrations and fees,
6 and providing penalties."

7 (b) General repeal.--All other acts and parts of acts are
8 repealed in so far as they are inconsistent herewith.

9 Section 8. Effective Date.

10 (a) General rule.--Except as otherwise provided in this
11 section, this act shall take effect July 1, 1977.

12 (b) Point system.--Sections 1535 (relating to schedule of
13 convictions and points) through 1539 (relating to suspension of
14 operating privilege on accumulation of points) and section 1541
15 (relating to period of revocation or suspension of operating
16 privilege) through 1545 (relating to restoration of operating
17 privilege) of Title 75 as added by this act shall take effect
18 immediately.

19 (c) Removal of vehicles.--Section 3352 of Title 75 (relating
20 to removal of vehicle by or at direction of police) as added by
21 this act shall take effect immediately.

22 (d) Tire studs.--Section 4525(c) of Title 75 (relating to
23 studs) as added by this act shall take effect May 1, 1978.

24 (e) Sale, publication and disclosure of records.--Section
25 6114 of Title 75 (relating to limitation on sale, publication
26 and disclosure of records) as added by this act shall take
27 effect immediately.

28 (f) Fines and penalties under Vehicle Code of 1959.--Section
29 3 of this act shall take effect July 1, 1976, or immediately,
30 whichever is later.