

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 230

Session of
1981

INTRODUCED BY DININNI, KOLTER, PETRARCA, STEIGHNER, TIGUE,
LESCOVITZ, GEIST AND W. W. FOSTER, JANUARY 26, 1981

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 29, 1981

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for provisions prohibiting the
3 transfer of registration to evade certain financial
4 responsibility requirements, further providing for suspension
5 for nonpayment of judgments, repealing financial
6 responsibility, ~~providing for tolerances allowed for gross~~ <—
7 ~~weights of vehicles~~ and further providing for mobile and
8 manufactured housing.

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

11 Section 1. The definition of "mobile home" in section 102 of
12 Title 75, act of November 25, 1970 (P.L.707, No.230), known as
13 the Pennsylvania Consolidated Statutes, is amended and
14 definitions are added to read:

15 § 102. Definitions.

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

1 * * *

2 ["Mobile home." A trailer designed and used exclusively for
3 living quarters or commercial purposes which exceeds the maximum
4 size limitations prescribed by this title for operation on a
5 highway and is only incidentally operated on a highway,
6 including a unit transported on a removable or nonremovable
7 frame designed so as to be assembled together with another unit
8 or units into a structure which is used exclusively for living
9 quarters, commonly known as a "modular unit."]

10 "Mobile/manufactured home." A structure, transportable in
11 one or more sections, which, in the traveling mode, is eight
12 body feet or more in width or 40 body feet or more in length,
13 or, when erected on site, is 320 or more square feet, and which
14 is built on a permanent chassis and designed to be used as a
15 dwelling with or without permanent foundation when connected to
16 the required utilities, and includes plumbing, heating, air
17 conditioning and electrical systems contained therein.

18 "Modular housing unit." Any structure designed for
19 residential or commercial occupancy which is wholly or in
20 substantial part made, fabricated, formed or assembled in
21 manufacturing facilities for assembly and installation on the
22 building site.

23 "Modular housing undercarriage." A trailer which exceeds the
24 maximum size limitations prescribed by this title for operation
25 on a highway and which is used to transport a modular housing
26 unit.

27 * * *

28 Section 2. Paragraph (10) of section 1102 of Title 75 is
29 amended to read:

30 § 1102. Vehicles not requiring certificate of title.

No certificate of title shall be issued for:

* * *

[(10) A mobile home.]

Section 3. Paragraph (9) of subsection (b) of section 1302 of Title 75 is amended and a paragraph is added to read:

§ 1302. Vehicles subject to registration.

* * *

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

* * *

(9) Any mobile/manufactured home.

* * *

(12) Any modular housing unit or undercarriage.

* * *

Section 4. Subsection (c) of section 1337 of Title 75 is amended by adding a paragraph to read:

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

* * *

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

* * *

(5) "Modular housing transporter." A person engaged in the business of transporting modular housing units and undercarriages from point of manufacture or sale to final destination, and return.

Section 5. Section 1704 of Title 75 is repealed.

Section 6. Subsection (a) of section 1742, section 1746 and subsection (a) of section 1747 of Title 75 are amended to read:

§ 1742. Suspension for nonpayment of judgments.

(a) General rule.--The department, upon receipt of a

1 certified copy of a judgment, shall suspend the operating
2 privilege of each [driver and registration of each owner] person
3 against whom the judgment was rendered except as otherwise
4 provided in this section and in section 1745 (relating to
5 installment payment of judgments).

6 * * *

7 § 1746. Proof of financial responsibility after suspension or
8 revocation.

9 Whenever the department suspends or revokes the operating
10 privilege of any person [upon receiving record of a conviction
11 or forfeiture of bail] pursuant to sections 1532(a) or (b)
12 (relating to revocation or suspension of operating privilege),
13 1542 (relating to revocation of habitual offender's license) or
14 1742 (relating to suspension for nonpayment of judgments), the
15 department shall not restore the operating privilege until the
16 person furnishes proof of financial responsibility.

17 § 1747. Providing financial responsibility.

18 (a) General rule.--Proof of financial responsibility may be
19 furnished by filing evidence satisfactory to the department that
20 all motor vehicles registered in a person's name are covered by
21 the insurance required in section 104 of the act of July 19,
22 1974 (P.L.489, No.176), known as the "Pennsylvania No-fault
23 Motor Vehicle Insurance Act," or[, if the person has no motor
24 vehicle, that the person is covered by a nonowner's policy
25 having the same limits of liability as are required in section
26 104 of that act] that a person does not own a motor vehicle.

27 * * *

28 ~~Section 7. Section 4941 of Title 75, amended October 10,~~
29 ~~1980 (P.L.791, No.147), is amended to read:~~
30 ~~§ 4941. Maximum gross weight of vehicles.~~

<—

~~(a) General rule. No vehicle shall, when operated upon a highway, have a gross weight exceeding 73,280 pounds, and no combination driven upon a highway shall have a gross weight exceeding 80,000 pounds, or the applicable weight set forth in subsection (b) or (c), whichever is less.~~

~~(b) Combination of vehicles. No combination shall, when operated upon a highway, have a gross weight exceeding the following:~~

	Maximum
Combination of Vehicles	Gross Weight
	In Pounds
Two axle truck tractor & single axle semitrailer	58,400
Two axle truck tractor & two axle semitrailer	73,280
Three axle truck tractor & single axle semitrailer	73,280
Two axle truck & two axle trailer	73,280

~~(c) Trucks. No truck when operated upon a highway shall have a gross weight exceeding the following:~~

	Maximum
	Gross Weight
	In Pounds
Two axle truck	38,000
Three axle truck	58,400
Four axle truck	73,280

~~(d) In determining the maximum gross weight of vehicles or combinations, there shall be a tolerance allowed of 5% of the actual gross weight for Classes 1, 2, 3 and 4 vehicles and 3% of the actual gross weight for Class 5 and above vehicles, the vehicles as classified by section 1916 (relating to trucks and truck tractors).~~

Section 8 7. Paragraph (4) of subsection (a) of section 4961 <—

1 of Title 75 is amended and a paragraph is added to read:

2 § 4961. Authority to issue permits.

3 (a) General rule.--The department and local authorities with
4 respect to highways under their respective jurisdictions may,
5 upon application in writing showing good cause, issue special
6 permits in writing authorizing the applicant to operate or move
7 on specified highways any of the following:

8 * * *

9 (4) A mobile/manufactured home.

10 (5) A modular housing unit and undercarriage.

11 * * *

12 Section ~~9~~ 8. Section 4968 of Title 75 is amended to read: <—

13 § 4968. Permit for movement of equipment being manufactured.

14 An annual permit may be issued authorizing the manufacturer
15 of boats, mobile/manufactured homes, modular housing units and
16 undercarriages, helicopters, railway equipment and rails or
17 other articles or combinations not normally used on highways to
18 move articles which exceed the maximum height, width or length
19 specified in Subchapter B (relating to width, height and length)
20 while they are in the course of manufacture and while they are
21 entirely within the control of the manufacturer and not in
22 transit from the manufacturer to a purchaser or dealer. A permit
23 shall not be issued for the movement of articles upon a freeway.
24 Articles not in excess of ten feet in width may be moved up to
25 50 miles on a permit. Larger articles may be moved no farther
26 than ten miles on a permit.

27 Section ~~10~~ 9. This act shall take effect immediately. <—