

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 556

Session of  
1981

INTRODUCED BY PETERSON, WASS, BOWSER, LEVI, PETRARCA, NOYE,  
BOYES, SWIFT, MERRY, KOLTER, DOMBROWSKI, DAVIES, KLINGAMAN,  
CESSAR, WENGER, RASCO, PHILLIPS, McVERRY, GEIST, WILT,  
STAIRS, POTT, GEORGE, CIMINI, GRIECO, SIRIANNI, SIEMINSKI,  
HEISER, DORR AND E. Z. TAYLOR, FEBRUARY 10, 1981

SENATOR MANBECK, TRANSPORTATION, IN SENATE, AS AMENDED,  
JUNE 2, 1982

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing FOR THE DEFINITION OF "STREET <—  
3 ROD," for exceptions to vehicle registration and inspection  
4 requirements, ~~for assigning points, for the use of signals on~~ <—  
5 ~~school buses, for general requirements for other vehicles~~  
6 ~~transporting school children, for weighing and measuring of~~  
7 ~~vehicles, for citations sent by mail and for the replacement~~  
8 ~~of certain documents lost in the mail, and exempting from any~~  
9 ~~fee the transfer of title to a surviving spouse.~~ FOR CONTENTS <—  
10 OF DRIVERS' LICENSES, FOR EXCEPTIONS TO ASSIGNMENTS OF  
11 POINTS; FURTHER LIMITING THE FIVE POINT PENALTY UPON  
12 RESTORATION OF OPERATING PRIVILEGES; EXEMPTING CERTAIN  
13 VEHICLES FROM REGISTRATION FEES AND PROVIDING FOR LOST  
14 REVENUES; REQUIRING A PERMIT FOR MIGRANT FARM VEHICLES AND  
15 IMPOSING A FEE; FURTHER PROVIDING FOR THE LOCATION OF  
16 IDENTIFICATION MARKERS; PROVIDING FOR EXCEPTIONS FOR CERTAIN  
17 EQUIPMENT REQUIREMENTS AND EXTENDING THE LENGTH OF OVERSIZE  
18 VEHICLES; AND MAKING A REPEAL AND THEREBY PERMITTING A  
19 DEDUCTION OF THE OIL COMPANY FRANCHISE TAX IN CALCULATING  
20 OTHER TAXES IMPOSED BY THE COMMONWEALTH.

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

23 SECTION 1. THE DEFINITION OF "STREET ROD" IN SECTION 102 OF <—  
24 TITLE 75, ACT OF NOVEMBER 25, 1970 (P.L.707, NO.230), KNOWN AS

1 THE PENNSYLVANIA CONSOLIDATED STATUTES, IS AMENDED TO READ:

2 § 102. DEFINITIONS.

3 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT  
4 PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC  
5 PROVISIONS OF THIS TITLE, THE FOLLOWING WORDS AND PHRASES WHEN  
6 USED IN THIS TITLE SHALL HAVE, UNLESS THE CONTEXT CLEARLY  
7 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

8 \* \* \*

9 "STREET ROD." [A MODIFIED ANTIQUE MOTOR VEHICLE AS DEFINED  
10 BY DEPARTMENT REGULATIONS.] A MOTOR VEHICLE, BUT NOT A  
11 REPRODUCTION THEREOF, WITH A MODEL YEAR OF 1948 OR OLDER WHICH  
12 HAS BEEN MATERIALLY ALTERED OR MODIFIED BY THE REMOVAL, ADDITION  
13 OR SUBSTITUTION OF ESSENTIAL PARTS AND WITH A GROSS WEIGHT OR  
14 REGISTERED GROSS WEIGHT OF NOT MORE THAN 9,000 POUNDS.

15 \* \* \*

16 Section ~~±~~ 2. Subsection (a) of section 1302 of Title 75, ~~act~~ <—  
17 ~~of November 25, 1970 (P.L.707, No.230), known as the~~  
18 ~~Pennsylvania Consolidated Statutes,~~ is amended by adding  
19 paragraphs to read:

20 § 1302. Vehicles exempt from registration.

21 (a) General rule.--The following types of vehicles are  
22 exempt from registration:

23 \* \* \*

24 ~~(12) Any military vehicle used for training by a private~~ <—  
25 ~~nonprofit, tax exempt military educational institution when~~  
26 ~~such vehicle does not travel on public roads in excess of one~~  
27 ~~mile and the property on both sides of the public road is~~  
28 ~~owned by the institution.~~

29 Section 2. ~~Section 1535 of Title 75 is amended by adding a~~  
30 ~~subsection to read:~~

1 ~~§ 1535. Schedule of convictions and points.~~

2 \* \* \*

3 ~~(a.1) Proof of receipt of citation. No points shall be~~  
4 ~~assigned for an offense as to which the violator was sent a~~  
5 ~~citation by mail unless the municipality issuing the citation~~  
6 ~~sends the agency assigning points a copy of the receipt of~~  
7 ~~certified mail sent to and signed by the violator.~~

8 \* \* \*

9 (13) ANY OVERSIZED OR OVERWEIGHT VEHICLES EXCLUSIVE OF <—  
10 LOAD AND ONLY MOVED OR OPERATED UNDER A PERMIT ISSUED  
11 PURSUANT TO SECTION 4961(A) (RELATING TO AUTHORITY TO ISSUE  
12 PERMITS).

13 (14) ANY VEHICLE USED FOR GOLF COURSE OR RESORT  
14 MAINTENANCE WHEN SUCH VEHICLE DOES NOT TRAVEL ON PUBLIC ROADS  
15 IN EXCESS OF ONE MILE AND THE PROPERTY ON BOTH SIDES OF THE  
16 PUBLIC ROAD IS OWNED BY SAID GOLF COURSE OR RESORT.

17 SECTION 3. SECTION 1510(A) AND 1535(D) OF TITLE 75 ARE  
18 AMENDED OR ADDED TO READ:

19 § 1510. ISSUANCE AND CONTENT OF DRIVER'S LICENSE.

20 (A) GENERAL RULE.--THE DEPARTMENT SHALL, UPON PAYMENT OF THE  
21 REQUIRED FEE, ISSUE TO EVERY QUALIFIED APPLICANT A DRIVER'S  
22 LICENSE INDICATING THE TYPE OR GENERAL CLASS OF VEHICLES THE  
23 LICENSEE IS AUTHORIZED TO DRIVE, WHICH LICENSE SHALL CONTAIN [A  
24 DISTINGUISHING NUMBER IDENTIFYING THE LICENSEE,] THE SOCIAL  
25 SECURITY NUMBER OF THE LICENSEE, THE ACTUAL NAME, DATE OF BIRTH,  
26 RESIDENCE ADDRESS, A COLOR PHOTOGRAPH OF THE LICENSEE, SUCH  
27 OTHER INFORMATION AS MAY BE REQUIRED BY THE DEPARTMENT, AND  
28 EITHER A FACSIMILE OF THE SIGNATURE OF THE LICENSEE OR A SPACE  
29 UPON WHICH THE LICENSEE SHALL WRITE HIS USUAL SIGNATURE WITH PEN  
30 AND INK. PERSONAL MEDICAL DATA AND OTHER INFORMATION FOR USE IN

1 AN EMERGENCY MAY BE INCLUDED AS A PART OF THE LICENSE.  
2 INFORMATION OTHER THAN THAT REQUIRED TO IDENTIFY THE LICENSEE,  
3 THE DISTINGUISHING NUMBER AND THE CLASS OF LICENSE ISSUED MAY BE  
4 INCLUDED IN MICRODATA FORM. NO DRIVER'S LICENSE SHALL BE VALID  
5 UNTIL IT HAS BEEN SIGNED BY THE LICENSEE.

6 \* \* \*

7 § 1535. SCHEDULE OF CONVICTIONS AND POINTS.

8 \* \* \*

9 (D) EXCEPTION.--THIS SECTION DOES NOT APPLY TO A PERSON WHO  
10 WAS OPERATING A PEDACYCLE OR AN ANIMAL DRAWN VEHICLE.

11 SECTION 4. SECTION 1545 OF TITLE 75 IS AMENDED TO READ:

12 § 1545. RESTORATION OF OPERATING PRIVILEGE.

13 UPON THE RESTORATION OF ANY PERSON'S OPERATING PRIVILEGE  
14 WHICH HAS BEEN SUSPENDED OR REVOKED PURSUANT TO THIS SUBCHAPTER,  
15 SUCH PERSON'S RECORD SHALL SHOW FIVE POINTS, EXCEPT THAT ANY  
16 ADDITIONAL POINTS ASSESSED AGAINST THE PERSON SINCE THE DATE OF  
17 THE LAST VIOLATION RESULTING IN THE SUSPENSION OR REVOCATION  
18 SHALL BE ADDED TO SUCH FIVE POINTS UNLESS THE PERSON HAS SERVED  
19 AN ADDITIONAL PERIOD OF SUSPENSION OR REVOCATION PURSUANT TO  
20 SECTION 1544(A) (RELATING TO ADDITIONAL PERIOD OF REVOCATION OR  
21 SUSPENSION). THIS SECTION SHALL NOT APPLY TO SECTION 1533  
22 (RELATING TO SUSPENSION OF OPERATING PRIVILEGE FOR FAILURE TO  
23 RESPOND TO CITATION).

24 SECTION 5. SECTION 1901(C)(16) OF TITLE 75 IS AMENDED TO  
25 READ:

26 § 1901. EXEMPTION OF ENTITIES AND VEHICLES FROM FEES.

27 \* \* \*

28 (C) PROCESSING FEE IN LIEU OF REGISTRATION FEE.--NO  
29 REGISTRATION FEE SHALL BE CHARGED FOR VEHICLES REGISTERED BY ANY  
30 OF THE FOLLOWING BUT THE DEPARTMENT SHALL CHARGE A FEE OF \$10 TO

1 COVER THE COSTS OF PROCESSING FOR ISSUING OR RENEWING THE  
2 REGISTRATION:

3 \* \* \*

4 (16) ANY PERSON WHO IS RETIRED AND RECEIVING SOCIAL  
5 SECURITY OR OTHER PENSION AND WHOSE TOTAL INCOME DOES NOT  
6 EXCEED [\$7,500] \$9,000 PER YEAR. UNLESS THE RETIRED PERSON IS  
7 PHYSICALLY OR MENTALLY INCAPABLE OF DRIVING THE VEHICLE, THE  
8 RETIRED PERSON SHALL BE THE PRINCIPAL DRIVER OF THE VEHICLE  
9 BUT MAY FROM TIME TO TIME AUTHORIZE ANOTHER PERSON TO DRIVE  
10 THE VEHICLE IN HIS OR HER STEAD. THE TOTAL AMOUNT OF MONEY  
11 WHICH IS ANNUALLY LOST BY THE DEPARTMENT OF TRANSPORTATION BY  
12 OPERATION OF THIS PARAGRAPH BASED ON THE DIFFERENCE BETWEEN  
13 THE NORMAL REGISTRATION FEE AND THE PROCESSING FEE SHALL BE  
14 APPROPRIATED FROM THE LOTTERY FUND TO THE MOTOR LICENSE FUND.  
15 THE GOVERNOR IS HEREBY AUTHORIZED TO ANNUALLY TRANSFER FROM  
16 THE LOTTERY FUND THE NECESSARY AMOUNT OF MONEY TO REIMBURSE  
17 THE MOTOR LICENSE FUND PURSUANT TO THIS PARAGRAPH. SUCH MONEY  
18 IS HEREBY SPECIFICALLY APPROPRIATED TO THE MOTOR LICENSE FUND  
19 TO BE EXPENDED BY THE DEPARTMENT OF TRANSPORTATION WITH THE  
20 APPROVAL OF THE GOVERNOR.

21 \* \* \*

22 Section ~~3~~ 6. Section 1902 of Title 75, PARAGRAPH (2) AMENDED <—  
23 MARCH 7, 1982 (P.L.152, NO.49), is amended to read:

24 § 1902. Exemptions from other fees.

25 No fee shall be charged under this title for or to any of the  
26 following:

27 (1) A certificate of title returned to the department  
28 for cancellation.

29 (2) The replacement of a registration card or plate,  
30 driver's license, learner's permit or certificate of title

1 lost in the mail if the applicant files an affidavit of  
2 nonreceipt within ~~[45]~~90 90 days of the date of original  
3 issuance. <—

4 (3) A certificate of junk.

5 (4) A certificate of rejection.

6 (5) A special hauling permit issued to any person  
7 hauling equipment or materials for use on a Federal or State  
8 emergency relief project.

9 (6) A manufacturer, jobber or dealer for a certificate  
10 of title to a motor vehicle, trailer or semitrailer when  
11 assignment of certificate of title accompanies the  
12 application for certificate of title, and when the dealer,  
13 manufacturer or jobber is possessed of current  
14 manufacturer's, dealer's or jobber's registration plates.

15 (7) The transfer of title to a surviving spouse pursuant  
16 to section 1114 (relating to transfer of vehicle by operation  
17 of law).

18 ~~Section 4. Subsections (d) and (e) of section 3345 and~~ <—  
19 ~~section 4553 of Title 75 are amended to read:~~

20 ~~§ 3345. Meeting or overtaking school bus.~~

21 ~~\* \* \*~~

22 ~~(d) Use of amber signals. The amber visual signals shall be~~  
23 ~~actuated by the driver of every school bus not more than 300~~  
24 ~~feet nor less than 150 feet prior to making a stop for the~~  
25 ~~purpose of receiving or discharging school children and shall~~  
26 ~~remain in operation until the red visual signals are actuated.~~  
27 ~~[Amber] Except as otherwise specifically provided in subsection~~  
28 ~~(e), amber signals shall not be used unless the red visual~~  
29 ~~signals are to be actuated immediately following.~~

30 ~~(e) Limitations on use of signals.~~

~~(1) The visual signals required in the regulations shall not be actuated [on]:~~

~~(i) On streets in urban districts designated by the department or local authorities[, at].~~

~~(ii) At intersections or other places where traffic is controlled by uniformed police officers or appropriately attired or equipped persons authorized to direct, control or regulate traffic[, or].~~

~~(2) The amber visual signals, but not the red visual signals, shall be actuated in school bus loading [areas designated by the department or local authorities when the bus is entirely off the roadway] zones located:~~

~~(i) so that the school bus is entirely off the roadway or shoulder; or~~

~~(ii) adjacent to a school and off the roadway.~~

~~\* \* \*~~

~~§ 4553. General requirements for other vehicles transporting school children.~~

~~(a) Buses operated by urban mass transportation systems. Buses, other than school buses, operated by urban mass transportation systems for the exclusive transportation of school children shall comply with Federal safety standards and such other safety regulations as the Pennsylvania Public Utility Commission and the department shall provide for such buses.~~

~~(b) Other vehicles. A motor vehicle used to transport children to or from school or in connection with school activities, which is not a school bus because of its limited seating capacity, shall comply with regulations established by the department for such vehicles. [Unless] These regulations shall permit such vehicles to display flashing red and amber~~

~~lights but, unless required by Federal law or regulation, the regulations established by the department shall not require vehicles which pick up and discharge school children only at locations off the highway to be of any particular color or to display flashing red and amber lights.~~

~~Section 5. Subsection (b) of section 4703 of Title 75 is amended by adding a paragraph to read:~~

~~§ 4703. Operation of vehicle without official certificate of \_\_\_\_\_ inspection.~~

~~\* \* \*~~

~~(b) Exceptions. Subsection (a) does not apply to:~~

~~\* \* \*~~

~~(9) Any military vehicle used for training by a private, nonprofit, tax exempt military educational institution when such vehicle does not travel on public roads in excess of one mile and the property on both sides of the public road is owned by the institution.~~

~~\* \* \*~~

~~Section 6. Section 4981(a) of Title 75 is amended and a subsection is added to read:~~

~~§ 4981. Weighing and measurement of vehicles.~~

~~(a) Authority of police officer. Any police officer is authorized to require the driver of any vehicle or combination to stop and submit the vehicle or combination to be measured and weighed. Weighing may be done by using either portable or stationary scales. The weighing shall be conducted by qualified personnel employed by, trained by and under the guidance of the Pennsylvania State Police who have been trained in the use of weighing equipment in a training program approved by the Department of Agriculture. A police officer may require that a~~



~~vehicle or combination be driven to the nearest stationary  
scales if the scales are within two miles.~~

~~\* \* \*~~

~~(f) Performance review. The Department of Transportation  
shall review the efficiency of the Pennsylvania State Police in  
the performance of weighing and measuring functions in order to  
insure that Federal guidelines are complied with.~~

~~Section 7. Title 75 is amended by adding a section to read:  
§ 6309. Citations sent by mail.~~

~~Every citation of a traffic violation mailed to an alleged  
violator shall be sent by certified mail and the cost thereof  
shall be added to the other costs included on the citation.~~

~~Section 8. This act shall take effect in 60 days.~~

SECTION 7. TITLE 75 IS AMENDED BY ADDING A SECTION TO READ: <—  
§ 1950. FEE FOR MIGRANT FARM VEHICLE.

THE FEE FOR A PERMIT FOR OPERATION OF A MIGRANT FARM VEHICLE  
PURSUANT TO SECTION 4972 (RELATING TO PERMITS FOR MIGRANT FARM  
VEHICLES) SHALL BE \$100. THIS SECTION SHALL EXPIRE DECEMBER 31,  
1983.

SECTION 8. SECTION 2102(A) OF TITLE 75 IS AMENDED TO READ:  
§ 2102. IDENTIFICATION MARKERS REQUIRED.

(A) GENERAL RULE.--THE SECRETARY OF REVENUE SHALL PROVIDE AN  
IDENTIFICATION MARKER FOR EVERY MOTOR CARRIER VEHICLE.

(1) [THE IDENTIFICATION MARKER MUST BE AFFIXED TO THE  
VEHICLE IN AN EASILY VISIBLE POSITION.] ALL MOTOR VEHICLES  
REQUIRED TO DISPLAY THE IDENTIFICATION MARKER SHALL  
PERMANENTLY AFFIX SUCH IDENTIFICATION MARKER ON THE TOP ONE-  
HALF OF THE OUTSIDE DOOR PANEL ON THE DRIVER'S LEFT-HAND SIDE  
AND SHALL FOLLOW THE DIRECTIONS AS INDICATED ON THE REVERSE  
SIDE OF THE IDENTIFICATION MARKER.

(2) THE IDENTIFICATION MARKER SHALL REMAIN THE PROPERTY OF THE COMMONWEALTH AND MAY BE RECALLED FOR ANY VIOLATION OF THE PROVISIONS OF THIS CHAPTER, THE "MOTOR CARRIERS ROAD TAX ACT" OR THE REGULATIONS PROMULGATED THEREUNDER.

\* \* \*

SECTION 9. SECTIONS 4534, 4535 AND 4536 OF TITLE 75 ARE AMENDED TO READ:

§ 4534. REARVIEW MIRRORS.

NO PERSON SHALL OPERATE A MOTOR VEHICLE OR COMBINATION ON A HIGHWAY UNLESS THE VEHICLE OR COMBINATION IS EQUIPPED WITH AT LEAST ONE MIRROR, OR SIMILAR DEVICE, WHICH PROVIDES THE DRIVER AN UNOBSTRUCTED VIEW OF THE HIGHWAY TO THE REAR OF THE VEHICLE OR COMBINATION. THIS SECTION SHALL NOT APPLY TO ANY SPECIAL MOBILE EQUIPMENT OR IMPLEMENT OF HUSBANDRY THAT IS NOT SO EQUIPPED BY THE ORIGINAL MANUFACTURER.

§ 4535. AUDIBLE WARNING DEVICES.

(A) GENERAL RULE.--EVERY MOTOR VEHICLE OPERATED ON A HIGHWAY SHALL BE EQUIPPED WITH A HORN OR OTHER AUDIBLE WARNING DEVICE OF A TYPE APPROVED IN REGULATIONS OF THE DEPARTMENT.

(B) CERTAIN SOUND DEVICES PROHIBITED.--EXCEPT AS SPECIFICALLY PROVIDED IN THIS PART OR BY REGULATIONS OF THE DEPARTMENT, NO VEHICLE OPERATED ON A HIGHWAY SHALL BE EQUIPPED WITH A SIREN, BELL, WHISTLE OR ANY DEVICE EMITTING A SIMILAR SOUND OR ANY UNREASONABLY LOUD OR HARSH SOUND.

(C) EXCEPTIONS.--THIS SECTION SHALL NOT APPLY TO ANY SPECIAL MOBILE EQUIPMENT OR IMPLEMENT OF HUSBANDRY THAT IS NOT SO EQUIPPED BY THE ORIGINAL MANUFACTURER.

§ 4536. BUMPERS.

NO PERSON SHALL OPERATE ANY VEHICLE UPON A HIGHWAY WITHOUT BUMPERS OF A TYPE SPECIFIED BY REGULATIONS OF THE DEPARTMENT IN

BOTH THE FRONT AND REAR UNLESS THE VEHICLE WAS ORIGINALLY  
DESIGNED AND MANUFACTURED TO BE USED WITHOUT BUMPERS. THIS  
SECTION SHALL NOT APPLY TO ANY SPECIAL MOBILE EQUIPMENT OR  
IMPLEMENT OF HUSBANDRY THAT IS NOT SO EQUIPPED BY THE ORIGINAL  
MANUFACTURER.

SECTION 10. SECTION 4969 OF TITLE 75 IS AMENDED TO READ:  
§ 4969. PERMIT FOR MOVEMENT OF VEHICLES WITH OVERSIZE WHEELS  
AND TIRES.

AN ANNUAL PERMIT MAY BE ISSUED FOR THE OPERATION OR MOVEMENT  
BETWEEN SUNRISE AND SUNSET OF A VEHICLE CONTAINING WHEELS AND  
TIRES EXTENDING BEYOND THE MAXIMUM WIDTH ALLOWED IN SECTION  
4921(A) (RELATING TO WIDTH OF VEHICLES) IF THE DEPARTMENT  
DETERMINES THAT SUCH WHEELS AND TIRES ARE ESSENTIAL TO THE  
FUNCTION FOR WHICH THE VEHICLE IS DESIGNED OR ADAPTED AND USED.  
THE OVERALL WIDTH OF ANY VEHICLE PERMITTED UNDER THIS SECTION,  
INCLUDING WHEELS AND TIRES, SHALL NOT EXCEED [TEN] 12 FEET.

SECTION 11. TITLE 75 IS AMENDED BY ADDING A SECTION TO READ:  
§ 4972. PERMITS FOR MIGRANT FARM VEHICLES.

A PERMIT MAY BE ISSUED FOR A PERIOD OF 60 CONSECUTIVE DAYS  
AUTHORIZING THE OPERATION IN THE COMMONWEALTH OF ANY MIGRANT  
FARM VEHICLE REGISTERED IN ANOTHER STATE. THIS SECTION SHALL  
EXPIRE DECEMBER 31, 1983.

SECTION 12. SECTION 4981(C) OF TITLE 75 IS AMENDED TO READ:  
§ 4981. WEIGHING AND MEASUREMENT OF VEHICLES.

\* \* \*

(C) TOLERANCE WHEN WEIGHING AXLES.--A 3% TOLERANCE PER AXLE  
SHALL BE PERMITTED WHEN A VEHICLE IS WEIGHED ON STATIONARY OR  
PORTABLE SCALES. THIS TOLERANCE SHALL NOT APPLY ON ANY  
INTERSTATE HIGHWAY TO VEHICLES HAVING A REGISTERED GROSS WEIGHT  
IN EXCESS OF 73,280 POUNDS.

1       \* \* \*

2       SECTION 13.   SECTION 9502(B) OF TITLE 75 IS REPEALED.

3       SECTION 14.   (A)   THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

4       (B)   THE PROVISIONS OF SECTION 1510(A) (RELATING TO ISSUANCE  
5   AND CONTENT OF DRIVER'S LICENSE) REQUIRING SOCIAL SECURITY  
6   NUMBERS ON DRIVERS' LICENSES SHALL APPLY TO ALL LICENSES ISSUED  
7   AFTER THE EFFECTIVE DATE OF THIS ACT.