

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 800 Session of
1995

INTRODUCED BY STOUT, CORMAN, HART, O'PAKE AND BELAN,
MARCH 21, 1995

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 19, 1995

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing FOR ANNUAL HAULING PERMITS, for <—
3 prohibiting use of hearing impairment devices, for fines for
4 reckless driving and for permit for movement during course of
5 manufacture.

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

8 ~~Section 1. Section 102 of Title 75 of the Pennsylvania~~ <—
9 ~~Consolidated Statutes is amended by adding a definition to read:~~
10 ~~§ 102. Definitions.~~

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

16 * * *

17 ~~"Interstate highway." A freeway on the Dwight D. Eisenhower~~
18 ~~System of Interstate and Defense Highways.~~

1 * * *

2 ~~Section 2. Sections 3314, 3326(c) and 4962(f) of Title 75~~
3 ~~are amended to read:~~

4 SECTION 1. SECTIONS 1943(C), 3314, 3326(C), 4962(F) AND 4968 <—
5 OF TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES ARE
6 AMENDED TO READ:

7 § 1943. ANNUAL HAULING PERMITS.

8 * * *

9 (C) EQUIPMENT BEING MANUFACTURED.--THE ANNUAL FEE FOR
10 OPERATION OR MOVEMENT OF EQUIPMENT BEING MANUFACTURED, AS
11 PROVIDED FOR IN SECTION 4968 (RELATING TO PERMIT FOR MOVEMENT
12 DURING COURSE OF MANUFACTURE), SHALL BE [\$50 FOR OVERSIZED
13 MOVEMENTS AND \$400 FOR OVERWEIGHT MOVEMENTS.] AS FOLLOWS:

14 (1) OVERSIZED MOVEMENTS - \$100.

15 (2) OVERWEIGHT MOVEMENTS:

16 (I) MOVEMENTS NOT EXCEEDING 100,000 POUNDS GROSS
17 WEIGHT - \$400.

18 (II) MOVEMENTS IN EXCESS OF 100,000 POUNDS GROSS
19 WEIGHT - \$500, PLUS \$100 FOR EACH MILE OF HIGHWAY
20 AUTHORIZED UNDER THE PERMIT.

21 * * *

22 § 3314. Prohibiting use of hearing impairment devices.

23 (a) General rule.--No driver shall operate a vehicle while
24 wearing or using one or more headphones[,] or earphones [or any
25 similar device which the department by regulation determines
26 would impair the ability of the driver to hear traffic sounds].

27 (b) Exception.--This section does not prohibit the use of
28 hearing aids or other devices for improving the hearing of the
29 driver, nor does it prohibit the use of a headset in conjunction
30 with a cellular telephone that only provides sound through one

1 ear and allows surrounding sounds to be heard with the other
2 ear, nor does it prohibit the use of communication equipment by
3 the driver of [a fire] an emergency vehicle or by motorcycle
4 operators complying with section 3525 (relating to protective
5 equipment for motorcycle riders).

6 § 3326. Duty of driver in construction and maintenance areas.

7 * * *

8 (c) Fines to be doubled.--The fine for any of the following
9 violations, when committed in a construction or maintenance area
10 manned by workers acting in their official capacity, shall be
11 double the usual amount:

12 Section 3102 (relating to obedience to authorized
13 persons directing traffic).

14 Section 3111 (relating to obedience to traffic-
15 control devices).

16 Section 3112 (relating to traffic-control signals).

17 Section 3114 (relating to flashing signals).

18 Section 3302 (relating to meeting vehicle proceeding
19 in opposite direction).

20 Section 3303 (relating to overtaking vehicle on the
21 left).

22 Section 3304 (relating to overtaking vehicle on the
23 right).

24 Section 3305 (relating to limitations on overtaking
25 on the left).

26 Section 3306 (relating to limitations on driving on
27 left side of roadway).

28 Section 3307 (relating to no-passing zones).

29 Section 3309 (relating to driving on roadways laned
30 for traffic).

1 Section 3310 (relating to following too closely).

2 Section 3323 (relating to stop signs and yield
3 signs).

4 Section 3326 (relating to duty of driver in
5 construction and maintenance areas).

6 Section 3361 (relating to driving vehicle at safe
7 speed).

8 Section 3362 (relating to maximum speed limits).

9 Section 3702 (relating to limitations on backing).

10 Section 3714 (relating to [reckless] careless
11 driving).

12 Section 3715 (relating to restriction on alcoholic
13 beverages).

14 Section 3731 (relating to driving under influence of
15 alcohol or controlled substance).

16 Section 3736 (relating to reckless driving).

17 * * *

18 § 4962. Conditions of permits and security for damages.

19 * * *

20 (f) When loads permitted.--Only vehicles and combinations
21 permitted under the following provisions shall be authorized to
22 carry or haul loads while operating under the permit:

23 Section [4961(a)(6)] 4961(a)(2), (3) and (6) (relating to
24 authority to issue permits).

25 Section [4965(2)] 4965 (relating to single permits for
26 multiple highway crossings).

27 Section 4968 (relating to permit for movement during
28 course of manufacture).

29 Section 4970(b) (relating to permit for movement of
30 construction equipment).

Section 4974 (relating to permit for movement of
containerized cargo).

* * *

~~Section 3. Section 4968 of Title 75, amended December 28,~~
~~1994 (P.L.1450, No.172), is amended to read:~~

§ 4968. Permit for movement during course of manufacture.

(A) ANNUAL PERMIT.--An annual permit may be issued
authorizing movement on highways of boats, trailers, mobile
homes, modular housing units and undercarriages, helicopters,
HOT INGOTS, railway equipment and rails or other articles,
vehicles or combinations which exceed the maximum height, width
or length specified in Subchapter B (relating to width, height
and length) or combinations carrying RAW MILK OR FLAT-ROLLED
steel coils OR HOT INGOTS which exceed the maximum weight
specified in Subchapter C (relating to maximum weights of
vehicles) while they are in the course of manufacture and
entirely within the control of the manufacturer, subject to the
following provisions:

(1) Except for articles and vehicles not exceeding 102
inches in width, no permit shall be issued under this section
for movement of articles or vehicles while they are in
transit from the manufacturer to a purchaser or dealer or for
the movement of articles or vehicles upon a freeway.

(2) Articles and vehicles not wider than 102 inches may
be moved any distance on a permit. Articles and vehicles
wider than 102 inches but not in excess of ten feet in width
may be moved up to 50 miles on a permit. Wider articles and
vehicles may be moved no farther than ten miles on a permit.

(3) A combination of vehicles which is hauling flat-
rolled steel coils may be permitted {by the department} AND

1 LOCAL AUTHORITIES to move upon specified [State] highways
2 WITHIN THEIR RESPECTIVE JURISDICTION a distance not exceeding <—
3 [ten] 25 miles[, provided, however, that] IF the gross weight <—
4 [shall] DOES not exceed 100,000 pounds [nor shall] AND the <—
5 weight of any nonsteering axle DOES NOT exceed 21,000 pounds. <—
6 No permit may be issued for this type of movement upon [a
7 freeway] an interstate highway.

8 (3.1) A COMBINATION OF VEHICLES WHICH IS HAULING RAW <—
9 MILK TO A MANUFACTURER IN THIS COMMONWEALTH MAY BE PERMITTED
10 BY THE DEPARTMENT AND LOCAL AUTHORITIES TO MOVE UPON
11 SPECIFIED HIGHWAYS WITHIN THEIR RESPECTIVE JURISDICTION, IF
12 THE GROSS WEIGHT DOES NOT EXCEED 95,000 POUNDS AND IF THE
13 WEIGHT OF ANY NONSTEERING AXLE DOES NOT EXCEED 21,000 POUNDS.
14 NO PERMIT MAY BE ISSUED FOR THIS TYPE OF MOVEMENT UPON AN
15 INTERSTATE HIGHWAY.

16 (3.2) A COMBINATION OF VEHICLES WHICH IS HAULING A HOT
17 INGOT MAY BE PERMITTED BY THE DEPARTMENT AND LOCAL
18 AUTHORITIES TO MOVE UPON SPECIFIED HIGHWAYS WITHIN THEIR
19 RESPECTIVE JURISDICTION A DISTANCE NOT EXCEEDING 25 MILES IF
20 THE GROSS WEIGHT DOES NOT EXCEED 150,000 POUNDS AND THE
21 WEIGHT OF ANY NONSTEERING AXLE DOES NOT EXCEED 21,000 POUNDS.

22 (4) A permit may be denied OR REVOKED in order to <—
23 preserve the safety of highway users or to protect the
24 structural integrity of highways or bridges or as otherwise
25 authorized by department regulations.

26 (B) DEFINITION.--AS USED IN THIS SECTION, THE TERM "RAW <—
27 MILK" SHALL HAVE THE MEANING GIVEN TO IT IN THE ACT OF JULY 2,
28 1935 (P.L.589, NO.210), REFERRED TO AS THE MILK SANITATION LAW.

29 Section 4 2. This act shall take effect in 60 days. <—