
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 155 Session of
2001

INTRODUCED BY MARKOSEK, GEIST, SAYLOR, CAPPABIANCA, BARD,
DERMODY, FAIRCHILD, HESS, LAUGHLIN, LEH, MAHER, MARSICO,
McCALL, MCGILL, MELIO, PETRARCA, PIPPY, SANTONI, STAIRS,
WASHINGTON, DALLY, HORSEY, LEWIS AND DeWEESE,
JANUARY 29, 2001

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JUNE 21, 2001

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, adding and amending definitions; further providing
3 for registration plates, for licensing of drivers, for
4 driver's license violations, for commercial drivers, for
5 obedience to and effect of traffic laws, for traffic-control
6 devices, FOR RESTRICTIONS OF USE OF LIMITED ACCESS HIGHWAYS, <—
7 for right-of-way, for maximum speed limits, for rights and
8 duties of pedestrians, for fleeing or attempting to elude
9 police officer, for lighting equipment, for equipment of
10 authorized and emergency vehicles, for inspection
11 requirements and for enforcement; ~~authorizing the Attorney~~ <—
12 ~~General to issue subpoenas for the purpose of investigating~~
13 ~~gasoline and fuel prices;~~ AND providing for a shared-ride <—
14 PILOT program for persons with ~~special medical needs~~ <—
15 ~~DISABILITIES; and making an appropriation.~~ <—

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

18 Section 1. The definition of "emergency vehicle" in section
19 102 of Title 75 of the Pennsylvania Consolidated Statutes is
20 amended and the section is amended by adding definitions to
21 read:

22 § 102. Definitions.

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

* * *

"Ambulance." Any vehicle which is specifically designed, constructed or modified and equipped and is used or intended to be used and is maintained or operated for the purpose of providing emergency medical care to and transportation of human patients. The term includes advanced or basic life support vehicles that may or may not transport such patients.

* * *

"Blood delivery vehicle." Any vehicle which is used or intended to be used and is maintained or operated for the purpose of transporting blood or blood products on an emergency basis.

* * *

"Emergency vehicle." A fire department vehicle, police vehicle, sheriff vehicle, ambulance, blood-delivery vehicle, human organ delivery vehicle, hazardous material response vehicle, armed forces emergency vehicle, one vehicle operated by a coroner or chief county medical examiner and one vehicle operated by a chief deputy coroner or deputy chief county medical examiner used for answering emergency calls, or any other vehicle designated by the State Police under section 6106 (relating to designation of emergency vehicles by Pennsylvania State Police), or a privately owned vehicle used in answering an emergency call when used by any of the following:

- (1) A police chief and assistant chief.

1 (2) A fire chief, assistant chief and, when a fire
2 company has three or more fire vehicles, a second or third
3 assistant chief.

4 (3) A fire police captain and fire police lieutenant.

5 (4) An ambulance corps commander and assistant
6 commander.

7 (5) A river rescue commander and assistant commander.

8 (6) A county emergency management coordinator.

9 (7) A fire marshal.

10 (8) A rescue service chief and assistant chief.

11 * * *

12 "Fire department vehicle." A vehicle owned or leased by an
13 organized paid or volunteer fire department.

14 * * *

15 ~~"Flood vehicle." A motor vehicle that has been submerged in~~ <—
16 ~~water to the point that rising water has reached over the door~~
17 ~~sill or has entered the passenger or trunk compartment.~~

18 * * *

19 "Hazardous material response vehicle." A vehicle owned or
20 leased by a hazardous material response team certified through
21 the Pennsylvania Emergency Management Agency.

22 * * *

23 "Human organ delivery vehicle." Any vehicle which is used or
24 intended to be used and is maintained or operated for the
25 purpose of transporting human organs or human tissue on an
26 emergency basis.

27 * * *

28 Section 2. Sections 1339 and 1341 of Title 75 are amended to
29 read:

30 § 1339. Legislative plate.

1 Upon application by a member or retired member of the General
2 Assembly of the Commonwealth or the Congress of the United
3 States, the department [shall] may issue special registration
4 plates indicating that the vehicle is owned by a member or
5 retired member of the Pennsylvania or United States Senate or
6 House of Representatives, as appropriate.

7 § 1341. [Personal plate] Special registration plates generally.

8 Upon request by the applicant, the department may issue
9 registration plates consisting of any combination of numbers,
10 letters or numbers and letters. These special plates may be
11 issued for special groups or for special purposes and bear an
12 appropriate designation. Special groups may charge a fee for
13 authorization to request a registration plate bearing the name
14 of the group. They shall have the same force and effect as
15 regular registration plates. The department may refuse any
16 combination of letters and numbers for cause and shall adopt
17 reasonable rules and regulations for the issuance of the plates
18 and for carrying out the provisions of this section. The
19 applicant shall comply with all laws and regulations pertaining
20 to registration including the payment of any additional fees.
21 The department is authorized to reissue a combination of numbers
22 or letters for a personal plate if the department records reveal
23 that no activity, such as renewal or transfer of the personal
24 registration plate, has occurred for a period of five or more
25 consecutive years and provided that the personal registration
26 plate was never reported as lost or stolen. Whenever the
27 department reissues an inactive personal plate, the department
28 may purge its records of all references to the previous owners
29 of that personal plate. The department shall, however, note upon
30 its records the reissuance of the personal plate and to whom the

1 plate was issued.

2 Section 3. Sections 1510 and 1610 of Title 75 are amended by
3 adding subsections to read:

4 § 1510. Issuance and content of driver's license.

5 * * *

6 (h) Sale of photographs prohibited.--Neither the department
7 nor any person under contract with the department shall sell
8 photographs of holders of a driver's license or identification
9 card for any commercial purpose.

10 § 1610. Commercial driver's license.

11 * * *

12 (f) Sale of photographs prohibited.--Neither the department
13 nor any person under contract with the department shall sell
14 photographs of holders of a commercial driver's license for any
15 commercial purpose.

16 Section 4. Sections 3102, 3105, 3107(c), 3111(a), ~~3313(d)~~, <—
17 3113, 3313(D) and 3325 of Title 75 are amended to read: <—

18 § 3102. Obedience to authorized persons directing traffic.

19 No person shall willfully fail or refuse to comply with any
20 lawful order or direction of any uniformed police officer,
21 sheriff or constable or, in an emergency, a railroad or street
22 railway police officer; or any appropriately attired person,
23 including an agent or employee of the funeral director during a
24 funeral, authorized to direct, control or regulate traffic or an
25 employee who has been trained in traffic control by a licensed
26 and insured private security company and who is acting in the
27 scope of employment.

28 § 3105. Drivers of emergency vehicles.

29 (a) General rule.--The driver of an emergency vehicle, when
30 responding to an emergency call or when in the pursuit of an

1 actual or suspected violator of the law or when responding to
2 but not upon returning from a fire alarm or other emergency
3 call, may exercise the privileges set forth in this section, but
4 subject to the conditions stated in this section.

5 (b) Exercise of special privileges.--The driver of an
6 emergency vehicle may:

7 (1) Park or stand, irrespective of the provisions of
8 this part.

9 (2) Proceed past a red signal indication or stop sign,
10 but only after slowing down as may be necessary for safe
11 operation, except as provided in subsection (d).

12 (3) Exceed the maximum speed limits so long as the
13 driver does not endanger life or property, except as provided
14 in subsection (d).

15 (4) Disregard regulations governing direction of
16 movement, overtaking vehicles or turning in specified
17 directions.

18 (c) Audible and visual signals required.--The privileges
19 granted in this section to an emergency vehicle shall apply only
20 when the vehicle is making use of an audible signal and visual
21 signals meeting the requirements and standards set forth in
22 regulations adopted by the department[, except that an emergency
23 vehicle operated as a police vehicle need not be equipped with
24 or display the visual signals. An ambulance which is
25 transporting a patient may use either the lights or the audible
26 warning system, or both, as determined by the driver of the
27 ambulance].

28 (d) Ambulances [and blood-delivery], blood delivery vehicles
29 and human organ delivery vehicles.--The driver of an ambulance
30 [or blood-delivery], blood delivery vehicle or human organ

1 delivery vehicle shall comply with maximum speed limits, red
2 signal indications and stop signs. After ascertaining that the
3 ambulance [or blood-delivery], blood delivery vehicle or human
4 organ delivery vehicle will be given the right-of-way, the
5 driver may proceed through a red signal indication or stop sign.

6 (e) Exercise of care.--This section does not relieve the
7 driver of an emergency vehicle from the duty to drive with due
8 regard for the safety of all persons.

9 (f) Pedalcycles.--No part of this [title] section shall be
10 construed to restrict the operation of a pedalcycle used by a
11 police officer during the course of performing official duties.

12 (g) Emergency vehicle preemption devices.--

13 (1) The department may promulgate regulations for the
14 operation and use of preemptive traffic devices by emergency
15 vehicles.

16 (2) An individual other than authorized emergency
17 personnel who operates or uses a preemptive traffic device
18 commits a misdemeanor of the third degree.

19 (3) The possession of a preemptive traffic device by an
20 individual who is not an authorized user of the device is
21 prohibited. The device if in the possession of a
22 nonauthorized user shall be deemed contraband and shall be
23 seized by a law enforcement officer.

24 § 3107. Drivers in funeral processions.

25 * * *

26 (c) Right-of-way to emergency vehicles.--This section does
27 not relieve the driver of a vehicle which is being driven in a
28 funeral procession from yielding the right-of-way to an
29 emergency vehicle making use of audible [or] and visual signals,
30 nor from the duty to drive with due regard for the safety of all

1 persons.

2 § 3111. Obedience to traffic-control devices.

3 (a) General rule.--Unless otherwise directed by a uniformed
4 police officer or any appropriately attired person authorized to
5 direct, control or regulate traffic, the driver of any vehicle
6 shall obey the instructions of any applicable official traffic-
7 control device placed or held in accordance with the provisions
8 of this title, subject to the privileges granted the driver of
9 an [authorized] emergency vehicle in this title.

10 * * *

11 ~~§ 3313. Restrictions on use of limited access highways.~~ <—

12 ~~* * *~~

13 ~~(d) Driving in right lane. [Vehicles shall be driven in the~~
14 ~~lane nearest the right hand edge of the roadway, except when~~
15 ~~overtaking another vehicle, or for a distance of up to two miles~~
16 ~~in preparation for a left turn, or as directed by official~~
17 ~~traffic control devices, police officers or appropriately~~
18 ~~attired persons authorized to divert, control or regulate~~
19 ~~traffic.]~~

20 ~~(1) No driver shall drive continuously in the left lane~~
21 ~~of a limited access highway so as to impede the flow of other~~
22 ~~traffic.~~

23 ~~(2) Upon all limited access highways having two or more~~
24 ~~lanes for traffic moving in the same direction, all vehicles~~
25 ~~shall be driven in the right hand lane when available for~~
26 ~~traffic except:~~

27 ~~(i) when overtaking and passing another vehicle~~
28 ~~proceeding in the same direction;~~

29 ~~(ii) when traveling at a speed greater than the~~
30 ~~traffic flow;~~

~~(iii) when moving left to allow traffic to merge; or~~
~~(iv) when preparing for a left turn at an~~
~~intersection, exit or into a private road or driveway~~
~~when such left turn is legally permitted.~~

~~(3) Unless otherwise posted, no vehicle towing a trailer~~
~~and no vehicle or combination over 10,000 pounds may be~~
~~driven in the left hand lane of a limited access highway~~
~~having three or more lanes for traffic moving in the same~~
~~direction except when preparing for a left turn at an~~
~~intersection, exit or into a private road or driveway when~~
~~such left turn is legally permitted.~~

~~(4) This subsection shall not apply to a vehicle using a~~
~~vehicle lane designated for multioccupant vehicles or car~~
~~pools.~~

§ 3113. PEDESTRIAN-CONTROL SIGNALS. <—

(A) GENERAL RULE.--WHENEVER SPECIAL PEDESTRIAN-CONTROL
SIGNALS EXHIBITING WORDS OR SYMBOLS ARE IN PLACE, THE SIGNALS
SHALL INDICATE AS FOLLOWS:

(1) WORD "WALK" OR WALKING PERSON SYMBOL.--PEDESTRIANS
FACING THE SIGNAL SHOULD PROCEED ACROSS THE ROADWAY IN THE
DIRECTION OF THE SIGNAL AND SHALL BE GIVEN THE RIGHT-OF-WAY
BY THE DRIVERS OF ALL VEHICLES.

(2) PHRASE "DON'T WALK" OR UPRaised HAND SYMBOL.--
PEDESTRIANS SHOULD NOT START TO CROSS THE ROADWAY IN THE
DIRECTION OF THE SIGNAL, BUT ANY PEDESTRIAN WHO HAS PARTIALLY
COMPLETED HIS CROSSING ON THE "WALK" SIGNAL SHOULD PROCEED TO
A SIDEWALK OR SAFETY ZONE WHILE THE "DON'T WALK" SIGNAL IS
SHOWING.

(3) FLASHING "WALK".--PEDESTRIANS FACING THE SIGNAL ARE
CAUTIONED THAT THERE IS POSSIBLE HAZARD FROM TURNING

1 VEHICLES, BUT PEDESTRIANS MAY PROCEED ACROSS THE ROADWAY IN
2 THE DIRECTION OF THE SIGNAL AND SHALL BE GIVEN THE RIGHT-OF-
3 WAY BY THE DRIVERS OF ALL VEHICLES.

4 (4) FLASHING "DON'T WALK" SIGNAL.--PEDESTRIANS SHOULD
5 NOT START TO CROSS THE ROADWAY IN THE DIRECTION OF THE
6 SIGNAL, BUT ANY PEDESTRIAN WHO HAS PARTLY COMPLETED CROSSING
7 DURING THE "WALK" SIGNAL SHOULD PROCEED TO A SIDEWALK OR
8 SAFETY ZONE, AND ALL DRIVERS OF VEHICLES SHALL YIELD TO THE
9 PEDESTRIAN.

10 (B) LOCAL REGULATION.--THIS SECTION DOES NOT PROHIBIT A
11 MUNICIPALITY FROM ESTABLISHING A SUMMARY OFFENSE FOR VIOLATION
12 OF SUBSECTION (A)(2) OR (4).

13 (C) PENALTIES.--THE DRIVER OF A VEHICLE WHO VIOLATES
14 SUBSECTION (A) COMMITS A SUMMARY OFFENSE AND, UPON CONVICTION,
15 SHALL BE SENTENCED TO PAY A FINE OF \$50. THIS SUBSECTION SHALL
16 NOT APPLY TO THOSE MUNICIPALITIES THAT ESTABLISH A SUMMARY
17 OFFENSE, AS AUTHORIZED UNDER SUBSECTION (B) WITH A FINE IN
18 EXCESS OF \$50.

19 § 3313. RESTRICTIONS ON USE OF LIMITED ACCESS HIGHWAYS.

20 * * *

21 (D) DRIVING IN RIGHT LANE.--[VEHICLES SHALL BE DRIVEN IN THE
22 LANE NEAREST THE RIGHT-HAND EDGE OF THE ROADWAY, EXCEPT WHEN
23 OVERTAKING ANOTHER VEHICLE, OR FOR A DISTANCE OF UP TO TWO MILES
24 IN PREPARATION FOR A LEFT TURN, OR AS DIRECTED BY OFFICIAL
25 TRAFFIC CONTROL DEVICES, POLICE OFFICERS OR APPROPRIATELY
26 ATTIRED PERSONS AUTHORIZED TO DIVERT, CONTROL OR REGULATE
27 TRAFFIC.]

28 (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) AND UNLESS
29 OTHERWISE POSTED, UPON ALL LIMITED ACCESS HIGHWAYS HAVING TWO
30 OR MORE LANES FOR TRAFFIC MOVING IN THE SAME DIRECTION, ALL

1 VEHICLES SHALL BE DRIVEN IN THE RIGHT-HAND LANES WHEN
2 AVAILABLE FOR TRAFFIC EXCEPT WHEN ANY OF THE FOLLOWING
3 CONDITIONS EXIST:

4 (I) WHEN OVERTAKING AND PASSING ANOTHER VEHICLE
5 PROCEEDING IN THE SAME DIRECTION.

6 (II) WHEN TRAVELING AT A SPEED GREATER THAN THE
7 TRAFFIC FLOW.

8 (III) WHEN MOVING LEFT TO ALLOW TRAFFIC TO MERGE.

9 (IV) WHEN PREPARING FOR A LEFT TURN AT AN
10 INTERSECTION, EXIT OR INTO A PRIVATE ROAD OR DRIVEWAY
11 WHEN SUCH LEFT TURN IS LEGALLY PERMITTED.

12 (2) UNLESS OTHERWISE POSTED, NO VEHICLE OR COMBINATION
13 OVER 10,000 POUNDS MAY BE DRIVEN IN THE LEFT-HAND LANE OF A
14 LIMITED ACCESS HIGHWAY HAVING THREE OR MORE LANES FOR TRAFFIC
15 MOVING IN THE SAME DIRECTION EXCEPT WHEN PREPARING FOR A LEFT
16 TURN AT AN INTERSECTION, AN EXIT OR INTO A PRIVATE ROAD OR
17 DRIVEWAY WHEN SUCH LEFT TURN IS LEGALLY PERMITTED.

18 § 3325. Duty of driver on approach of emergency vehicle.

19 (a) General rule.--Upon the immediate approach of an
20 emergency vehicle making use of an audible signal and visual
21 signals meeting the requirements and standards set forth in
22 regulations adopted by the department, [or of a police vehicle
23 properly and lawfully making use of an audible signal only,] the
24 driver of every other vehicle shall yield the right-of-way and
25 shall immediately drive to a position parallel to, and as close
26 as possible to, the right-hand edge or curb of the roadway clear
27 of any intersection and shall stop and remain in that position
28 until the emergency vehicle has passed, except when otherwise
29 directed by a police officer or an appropriately attired person
30 authorized to direct, control or regulate traffic. On one-way

1 roadways a driver may comply by driving to the edge or curb
2 which is nearest to the lane in which he is traveling.

3 (b) Duty of operator of streetcar.--Upon the approach of an
4 emergency vehicle, the operator of every streetcar shall
5 immediately stop the streetcar clear of any intersection and
6 remain in that position until the emergency vehicle has passed,
7 except when otherwise directed by a police officer[.] or an
8 appropriately attired person authorized to direct, control or
9 regulate traffic.

10 (c) Defense.--It is a defense to prosecution under this
11 section if the defendant can show by a preponderance of the
12 evidence that the failure to stop immediately for a police
13 officer was based on a good faith concern for personal safety.
14 In determining whether the defendant has met this burden, the
15 court may consider the following factors:

16 (1) The time and location of the event.

17 (2) The type of vehicle used by the police officer.

18 (3) The defendant's conduct while being followed by the
19 police officer.

20 (4) Whether the defendant stopped at the first available
21 reasonably lighted or populated area.

22 (5) Any other factor considered relevant by the court.

23 Section 5. Title 75 is amended by adding sections to read:
24 § 3327. Duty of driver in emergency response areas.

25 (a) General rule.--When approaching or passing an emergency
26 response area, no person shall drive a vehicle:

27 (1) at a speed greater than is reasonable and prudent
28 under the conditions, having regard to the actual and
29 potential hazards then existing; or

30 (2) in disobedience of instructions or indications

1 relating to traffic flow which are made, either verbally or
2 through the use of signs, flares, signals, lights or other
3 traffic control devices, by law enforcement personnel or
4 emergency service responders.

5 (b) Penalty.--Any person violating subsection (a) commits a
6 summary offense and shall, upon conviction, pay a fine of \$85.

7 (c) Marking.--An emergency response area shall be clearly
8 marked with road flares, caution signs or any other traffic-
9 control device which law enforcement officials may have at their
10 immediate disposal.

11 (d) Reports by emergency service responders.--

12 (1) An emergency service responder observing a violation
13 of subsection (a) may prepare a written, signed report which
14 indicates that a violation has occurred. To the extent
15 possible, the report shall include the following information:

16 (i) Information pertaining to the identity of the
17 alleged violator.

18 (ii) The license number and color of the vehicle
19 involved in the violation.

20 (iii) The time and approximate location at which the
21 violation occurred.

22 (iv) Identification of the vehicle as an automobile,
23 station wagon, motor truck, motor bus, motorcycle or
24 other type of vehicle.

25 (2) Within 48 hours after the violation occurs, the
26 emergency service responder shall deliver a copy of the
27 report to a police officer having authority to exercise
28 police power in the area where the violation occurred. If the
29 police officer believes that the report established a
30 sufficient basis for the issuance of a citation, the officer

1 shall file a citation and a copy of the report with the
2 issuing authority. If the issuing authority determines that
3 the report and citation establish a sufficient basis for the
4 issuance of a summons, a summons shall be issued in
5 accordance with general rules governing the institution of
6 proceedings in summary traffic offense cases. The issuing
7 authority shall send the defendant a copy of the citation,
8 together with a statement that it was filed by the police
9 officer named in the citation on the basis of information
10 received.

11 (3) A person may institute a proceeding pursuant to this
12 subsection or in accordance with any means authorized by the
13 Pennsylvania Rules of Criminal Procedure.

14 (e) Fines to be doubled.--In addition to any penalty as
15 provided in subsection (b), the fine for any of the following
16 violations when committed in an emergency response area manned
17 by emergency service responders shall be double the usual
18 amount:

19 Section 3102 (relating to obedience to authorized persons
20 directing traffic).

21 Section 3111 (relating to obedience to traffic-control
22 devices).

23 Section 3114 (relating to flashing signals).

24 Section 3302 (relating to meeting vehicle proceeding in
25 opposite direction).

26 Section 3303 (relating to overtaking vehicle on the
27 left).

28 Section 3304 (relating to overtaking vehicle on the
29 right).

30 Section 3305 (relating to limitations on overtaking on

1 the left).

2 Section 3306 (relating to limitations on driving on left
3 side of roadway).

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

5 Section 3310 (relating to following too closely).

6 Section 3312 (relating to limited access highway
7 entrances and exits).

8 Section 3323 (relating to stop signs and yield signs).

9 Section 3325 (relating to duty of driver on approach of
10 emergency vehicle).

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

12 Section 3707 (relating to driving or stopping close to
13 fire apparatus).

14 Section 3710 (relating to stopping at intersection or
15 crossing to prevent obstruction).

16 Section 3714 (relating to careless driving).

17 Section 3715.1 (relating to restriction on alcoholic
18 beverages).

19 Section 3731 (relating to driving under influence of
20 alcohol or controlled substance).

21 Section 3736 (relating to reckless driving).

22 (f) Definitions.--As used in this section, the following
23 words and phrases shall have the meanings given to them in this
24 subsection:

25 "Emergency response area." The area in which emergency
26 service responders render emergency assistance to individuals on
27 or near a roadway.

28 "Emergency service responder." An individual acting in an
29 official capacity as police officer, sheriff, deputy sheriff,
30 coroner, deputy coroner, firefighter, fire police, fire marshal,

1 medical examiner, deputy medical examiner, rescue personnel,
2 ambulance personnel, hazardous material response team member or
3 emergency medical service personnel.

4 § 3328. Unmarked police vehicles.

5 (a) General rule.--The Pennsylvania State Police, in
6 consultation with the department, shall promulgate regulations
7 for the use of unmarked vehicles by police officers. The
8 regulations shall:

9 (1) establish the procedure to be used by a police
10 officer in an unmarked vehicle when stopping a motorist;

11 (2) require the use of audible and visual signals which
12 meet the requirements and standards set forth in this title
13 and in regulations adopted by the department; and

14 (3) establish requirements for the wearing of an
15 official police uniform and the display of official police
16 identification.

17 (b) Public awareness.--The Pennsylvania State Police and the
18 department shall provide for the dissemination of information to
19 the public regarding the use of unmarked vehicles. Such
20 information shall accompany annual vehicle registration or
21 vehicle registration renewal forms distributed by the department
22 NO EARLIER THAN JULY 1, 2002.

23 Section 6. Sections 3362(a)(1.1), 3542, 3548, 3733(a) and
24 (c), 4306, 4571, 4572 and 4702(b)(7) of Title 75 are amended to
25 read:

26 § 3362. Maximum speed limits.

27 (a) General rule.--Except when a special hazard exists that
28 requires lower speed for compliance with section 3361 (relating
29 to driving vehicle at safe speed), the limits specified in this
30 section or established under this subchapter shall be maximum

1 lawful speeds and no person shall drive a vehicle at a speed in
2 excess of the following maximum limits:

3 * * *

4 (1.1) 65 miles per hour for all vehicles[:

5 (i) on interstate highways outside of urbanized
6 areas of population of 50,000 or more; and

7 (ii)] on [other] freeways where the department has
8 posted a 65-miles-per-hour speed limit [in accordance
9 with the provisions of 23 U.S.C. (relating to highways)].

10 * * *

11 § 3542. RIGHT-OF-WAY OF PEDESTRIANS IN CROSSWALKS. <—

12 (A) GENERAL RULE.--WHEN TRAFFIC-CONTROL SIGNALS ARE NOT IN
13 PLACE OR NOT IN OPERATION, THE DRIVER OF A VEHICLE SHALL YIELD
14 THE RIGHT-OF-WAY TO A PEDESTRIAN CROSSING THE ROADWAY WITHIN ANY
15 MARKED CROSSWALK OR WITHIN ANY UNMARKED CROSSWALK AT AN
16 INTERSECTION.

17 (B) EXERCISE OF CARE BY PEDESTRIAN.--NO PEDESTRIAN SHALL
18 SUDDENLY LEAVE A CURB OR OTHER PLACE OF SAFETY AND WALK OR RUN
19 INTO THE PATH OF A VEHICLE WHICH IS SO CLOSE AS TO CONSTITUTE A
20 HAZARD.

21 (C) LIMITATION ON VEHICLES PASSING.--WHENEVER ANY VEHICLE IS
22 STOPPED AT ANY CROSSWALK AT AN INTERSECTION OR AT ANY MARKED
23 CROSSWALK TO PERMIT A PEDESTRIAN TO CROSS THE ROADWAY, THE
24 DRIVER OF ANY OTHER VEHICLE APPROACHING FROM THE REAR SHALL NOT
25 OVERTAKE AND PASS THE STOPPED VEHICLE.

26 (D) APPLICATION OF SECTION.--SUBSECTION (A) DOES NOT APPLY
27 UNDER THE CONDITIONS STATED IN SECTION 3543(B) (RELATING TO
28 PEDESTRIANS CROSSING AT OTHER THAN CROSSWALKS).

29 (E) PENALTIES.--THE DRIVER OF A VEHICLE WHO VIOLATES
30 SUBSECTION (A) COMMITS A SUMMARY OFFENSE AND SHALL, UPON

1 CONVICTION, BE SENTENCED TO PAY A FINE OF \$50.

2 § 3548. Pedestrians to yield to [authorized] emergency
3 vehicles.

4 (a) General rule.--Upon the immediate approach of an
5 [authorized] emergency vehicle making use of audible and visual
6 signals meeting the requirements of this title, [or of a police
7 vehicle properly and lawfully making use of an audible signal
8 only,] every pedestrian shall yield the right-of-way to the
9 [authorized] emergency vehicle.

10 (b) Exercise of care by driver.--This section does not
11 relieve the driver of an [authorized] emergency vehicle from the
12 duty to drive with due regard for the safety of all persons
13 using the highway nor from the duty to exercise due care to
14 avoid colliding with any pedestrian.

15 § 3733. Fleeing or attempting to elude police officer.

16 (a) Offense defined.--Any driver of a motor vehicle who
17 willfully fails or refuses to bring his vehicle to a stop, or
18 who otherwise flees or attempts to elude a pursuing police
19 officer, when given a visual [or] and audible signal to bring
20 the vehicle to a stop, commits a misdemeanor of the second
21 degree. Any driver upon conviction shall pay an additional fine
22 of \$500. This fine shall be in addition to and not in lieu of
23 all other fines, court expenses, jail sentences or penalties.

24 * * *

25 (c) Defenses.--

26 (1) It is a defense to a prosecution under this section
27 that the pursuing police officer's vehicle was not clearly
28 identifiable by its markings or, if unmarked, was not
29 occupied by a police officer who was in uniform and
30 displaying a badge or other sign of authority.

1 (2) It is a defense to prosecution under this section if
2 the defendant can show by a preponderance of the evidence
3 that the failure to stop immediately for a police officer's
4 vehicle was based upon a good faith concern for personal
5 safety. In determining whether the defendant has met this
6 burden, the court may consider the following factors:

7 (i) The time and location of the event.

8 (ii) The type of police vehicle used by the police
9 officer.

10 (iii) The defendant's conduct while being followed
11 by the police officer.

12 (iv) Whether the defendant stopped at the first
13 available reasonably lighted or populated area.

14 (v) Any other factor considered relevant by the
15 court.

16 § 4306. Use of multiple-beam road lighting equipment.

17 (a) Approaching an oncoming vehicle.--Whenever the driver of
18 a vehicle approaches an oncoming vehicle within 500 feet, the
19 driver shall use the low beam of light.

20 (b) Approaching a vehicle from rear.--Whenever the driver of
21 a vehicle approaches another vehicle from the rear within 300
22 feet, the driver shall use the low beam of light.

23 (c) Exception.--

24 (1) [A police or sheriff vehicle] An emergency vehicle
25 which is equipped with a flashing headlamp system that
26 conforms to regulations promulgated by the department shall
27 be exempt from the provisions of this section only when the
28 vehicle is being used pursuant to the provisions of section
29 4571(e) (relating to visual and audible signals on emergency
30 vehicles).

(2) Nothing in this section shall limit drivers from flashing high beams at oncoming vehicles as a warning of roadway emergencies or other dangerous or hazardous conditions ahead.

§ 4571. Visual and audible signals on emergency vehicles.

(a) General rule.--Every emergency vehicle shall be equipped with one or more revolving or flashing red lights and an audible warning system. Spotlights with adjustable sockets may be attached to or mounted on emergency vehicles.

(b) Police, sheriff, fire and coroner or medical examiner vehicles.--

(1) Police, sheriff, coroner, medical examiner or fire police vehicles may in addition to the requirements of subsection (a) be equipped with one or more revolving or flashing blue lights. The combination of red and blue lights may be used only on police, sheriff, coroner, medical examiner or fire police vehicles.

(2) Unmarked police and sheriff vehicles[,] used as emergency vehicles and equipped with audible warning systems[, may] shall be equipped with the lights described in this [section] subsection.

(b.1) Mounted lights; additional equipment.--

[3] (1) Police, sheriff and fire vehicles may be equipped with a mounted rack containing one or more emergency warning lights or side mounted floodlights or alley lights or all such lights[.], in conformance with department regulations.

(2) Additional visual or audible warning signal equipment, including, but not limited to, flashing headlamp system, flashing or revolving white or clear lights, steady

1 burning lights, traffic-control emergency directional light
2 assembly, amber lights and intersection lights, may be
3 utilized on emergency vehicles in accordance with regulations
4 promulgated by the department.

5 (c.1) Public Utility Commission vehicles.--Vehicles owned or
6 operated by the Pennsylvania Public Utility Commission and used
7 in the enforcement of 66 Pa.C.S. Chs. 23 (relating to common
8 carriers) and 25 (relating to contract carrier by motor vehicle
9 and broker) may be equipped with revolving or flashing red
10 lights in accordance with subsection (a).

11 (d) Vehicles prohibited from using signals.--Except as
12 otherwise specifically provided in this [part] section, no
13 vehicle other than an emergency vehicle may be equipped with
14 revolving or flashing lights or audible warning systems
15 identical or similar to those specified in subsections (a) and
16 (b). A person who equips or uses a vehicle with visual or
17 audible warning systems in violation of this section commits a
18 summary offense and shall, upon conviction, be sentenced to pay
19 a fine of not less than \$500 nor more than \$1,000.

20 (e) Authorized period of use.--The lights and warning
21 systems specified by this section may be used only during an
22 emergency, or in the interest of public safety [and], or by
23 police officers, sheriffs and deputy sheriffs in enforcement of
24 the law. [An ambulance which is transporting a patient may use
25 either the lights or the audible warning system, or both, as
26 determined by the driver of the ambulance.] Unauthorized use of
27 the lights and warning systems specified by this section shall
28 be a summary offense punishable by a fine of not less than \$500
29 nor more than \$1,000.

30 (f) Conformity with department regulations.--All equipment

1 authorized or required by this section shall conform to
2 department regulations.

3 § 4572. Visual signals on authorized vehicles.

4 (a) Flashing or revolving blue lights.--Ambulance personnel,
5 volunteer firefighters, CERTIFIED VOLUNTEER SEARCH AND RESCUE <—
6 SCUBA DIVERS and owners and handlers of dogs used in tracking
7 humans may each equip one motor vehicle with no more than two
8 flashing or revolving blue lights.

9 (1) In order to be eligible to display lights on their
10 vehicles under this subsection, the names of the ambulance
11 personnel [and], volunteer firefighters AND CERTIFIED <—
12 VOLUNTEER SEARCH AND RESCUE SCUBA DIVERS shall be submitted
13 to the nearest station of the Pennsylvania State Police on a
14 list signed by the chief of the ambulance or fire department
15 or company, THE HEAD OF THE SEARCH AND RESCUE SCUBA DIVING <—
16 ORGANIZATION and each dog owner and handler shall register at
17 the nearest Pennsylvania State Police station.

18 (2) The manner in which the lights are displayed and
19 their intensity shall be determined by regulation of the
20 department.

21 (3) The lights shall be operable by the driver from
22 inside the vehicle.

23 (4) The lights may be used only while en route to or at
24 the scene of a fire or emergency call.

25 (5) The lights shall be removed from the vehicle [within
26 ten days of] immediately upon receipt of notice from the
27 chief of the ambulance or fire department or company OR THE <—
28 HEAD OF THE SEARCH AND RESCUE SCUBA DIVING ORGANIZATION to
29 remove the lights upon termination of the person's status as
30 an active volunteer firefighter or ambulance person or upon

1 termination of the person's active status as a CERTIFIED <—
2 VOLUNTEER SEARCH AND RESCUE DIVER OR dog owner or handler, or
3 when the vehicle is no longer used in connection with the
4 person's duties as a volunteer firefighter or ambulance
5 person, CERTIFIED VOLUNTEER SEARCH AND RESCUE DIVER or dog <—
6 owner or handler.

7 (6) This subsection does not relieve the driver from the
8 duty to drive with due regard for the safety of all persons
9 nor exempt the driver from complying with all provisions of
10 this title.

11 (b) Flashing or revolving yellow lights.--Vehicles
12 authorized pursuant to the provisions of [section] sections 6106
13 (relating to designation of emergency vehicles by Pennsylvania
14 State Police) and 6107 (relating to designation of authorized
15 vehicles by department), tow trucks and vehicles used for snow
16 removal may be equipped with [no more than two] one or more
17 flashing or revolving yellow lights. The manner in which the
18 light or lights shall be displayed and the intensity shall be
19 determined by regulation of the department.

20 (c) Vehicles prohibited from using lights.--No vehicle other
21 than a duly authorized vehicle may be equipped with lights
22 identical or similar to those specified in subsections (a) and
23 (b). A person who equips or uses a vehicle with visual systems
24 in violation of this section commits a summary offense and
25 shall, upon conviction, be sentenced to pay a fine of not less
26 than \$100 nor more than \$500.

27 § 4702. Requirement for periodic inspection of vehicles.

28 * * *

29 (b) Semiannual safety inspection of certain vehicles.--The
30 following vehicles shall be subject to semiannual safety

1 inspections:

2 * * *

3 (7) Motor carrier vehicles with a registered gross
4 weight in excess of 17,000 pounds, other than farm vehicles
5 for which a biennial certificate of exemption has been
6 issued.

7 * * *

8 Section 7. Section 4704(c) of Title 75 is amended and the
9 section is amended by adding a subsection to read:

10 § 4704. Inspection by police or Commonwealth personnel.

11 * * *

12 (c) Operation prohibited if hazardous.--

13 (1) In the event a vehicle or a mass transit vehicle, or
14 its equipment, load or driver, in the reasonable judgment of
15 the officer or qualified Commonwealth employee, is in such
16 condition that further operation would be hazardous, the
17 officer or qualified Commonwealth employee may require that
18 the vehicle or the mass transit vehicle not be operated under
19 its own power or that the driver discontinue driving, or
20 both, and may so stipulate in the notice given under
21 subsection (b). In the case of motor carrier vehicles or
22 their drivers, all such determinations shall be based on out-
23 of-service criteria established in department regulations.

24 (2) In the event a motor carrier vehicle or mass transit
25 vehicle is involved in an accident that causes the death of
26 the vehicle operator or another person, the motor carrier
27 vehicle or mass transit vehicle shall be inspected by a
28 qualified Commonwealth employee, as designated by the
29 department in accordance with the provisions of subsection
30 (f), before the vehicle or driver will be allowed to continue

1 operation.

2 * * *

3 (h) Administrative coordination.--The department shall
4 coordinate with the Pennsylvania Public Utility Commission in
5 the enforcement of this section and 66 Pa.C.S. § 3312(a)
6 (relating to evasion of motor carrier and broker regulations).

7 Section 8. Sections 6106 and 6110(a) of Title 75 are amended
8 to read:

9 § 6106. Designation of emergency vehicles by Pennsylvania State
10 Police.

11 (a) General rule.--The Pennsylvania State Police may
12 designate any vehicle or group of vehicles as emergency vehicles
13 upon a finding that the designation is necessary to the
14 preservation of life or property or to the execution of
15 emergency governmental functions.

16 (a.1) Exception.--Vehicles designated as emergency vehicles
17 under this section shall not display or be equipped with a
18 combination of red and blue lights.

19 (b) Manner and carrying of designation.--The designation
20 shall be in writing and the written designation shall be carried
21 in the vehicle at all times[, but failure to carry the written
22 designation shall not affect the status of the vehicle as an
23 emergency vehicle].

24 § 6110. Regulation of traffic on Pennsylvania Turnpike.

25 (a) General rule.--The provisions of this title apply upon
26 any turnpike or highway under the supervision and control of the
27 Pennsylvania Turnpike Commission unless specifically modified by
28 rules and regulations promulgated by the commission which shall
29 become effective only upon publication in accordance with law. A
30 copy of the rules and regulations, so long as they are

1 effective, shall be posted at all entrances to the turnpike or
2 highway for the inspection of persons using the turnpike or
3 highway. This section does not authorize the establishment of a
4 maximum speed limit greater than 55 miles per hour, except that
5 a 65-miles-per-hour maximum speed limit for all vehicles may be
6 established[:

7 (1) on interstate highways outside of urbanized areas of
8 population of 50,000 or more; and

9 (2) on other freeways] where the commission has posted a
10 65-miles-per-hour speed limit [in accordance with the
11 provisions of 23 United States Code (relating to highways)].

12 * * *

13 ~~Section 9. Title 75 is amended by adding chapters to read:~~ <—

14 ~~CHAPTER 74~~

15 ~~ATTORNEY GENERAL~~

16 ~~Sec.~~

17 ~~7401. Attorney General investigation into gasoline prices.~~

18 ~~§ 7401. Attorney General investigation into gasoline prices.~~

19 ~~To investigate the availability, supply and price of~~
20 ~~gasoline, diesel fuel, heating oil, kerosene and propane in~~
21 ~~Pennsylvania, the Attorney General is authorized to issue~~
22 ~~subpoenas for persons and documents that may assist the Attorney~~
23 ~~General in investigating the causes of any price hikes of more~~
24 ~~than 50% to Pennsylvania consumers for any of these fuels in any~~
25 ~~period up to a year to determine if any Federal or State crimes~~
26 ~~have been committed.~~

27 ~~CHAPTER 78~~

28 ~~SPECIAL PROGRAMS~~

29 ~~Subchapter~~

30 ~~— A. Persons with Special Medical Needs Shared Ride Program~~

SUBCHAPTER A

PERSONS WITH SPECIAL MEDICAL NEEDS

SHARED RIDE PROGRAM

~~Sec.~~

~~7801. Short title of subchapter.~~

~~7802. Legislative intent.~~

~~7803. Definitions.~~

~~7804. Persons with Special Medical Needs Shared Ride Program.~~

~~7805. Construction.~~

~~§ 7801. Short title of subchapter.~~

~~This subchapter shall be known and may be cited as the
Persons with Disabilities Shared Ride Program Act.~~

~~§ 7802. Legislative intent.~~

~~It is the intent of the General Assembly and the purpose of
this subchapter is to increase public transportation
opportunities for Pennsylvania citizens who have special medical
needs that limit their mobility. Grants made by this program are
intended to supplement and shall not supplant existing
transportation funds or existing transportation services for
persons with disabilities.~~

~~§ 7803. Definitions.~~

~~The following words and phrases when used in this subchapter
shall have the meanings given to them in this section unless the
context clearly indicates otherwise:~~

~~"County transportation system." Buses, vans or other transit
vehicles purchased, maintained and operated by a county or its
agents and used to provide free or reduced rate transportation
within the county to eligible persons with disabilities or
special medical needs.~~

~~"Eligible applicant." A provider of shared ride programs for~~

~~the elderly, county, county transportation system,
transportation authority, local transportation organization,
municipality, transportation company or urban common carrier
mass transportation provider.~~

~~"Fixed route public transportation services." Regularly
scheduled transportation that is available to the general public
and is provided according to published schedules along
designated published routes with specified stopping points for
the taking on and discharging of passengers. Eligible services
include public bus and commuter rail systems. The term does not
include exclusive ride taxi service, charter or sightseeing
services, nonpublic transportation and school bus or limousine
services.~~

~~"Local transportation organization." A municipality or mass
transportation, port, redevelopment or airport authority
organized under the laws of Pennsylvania or pursuant to an
interstate compact or otherwise empowered to render, contract
for the rendering or assist in the rendering of transportation
service in a limited area in this Commonwealth, even though it
may also render or assist in rendering transportation service in
adjacent states.~~

~~"Person with special medical needs." An individual with a
medical condition that requires medical services on a minimum of
a weekly basis as certified by a medical doctor and which may
prevent the person from transporting himself or engaging in
regularly provided public transportation systems.~~

~~"Program." Shared ride public transportation services for
persons with special medical needs established by this
subchapter.~~

~~"Provider." An eligible applicant that applies for and is~~

1 ~~approved for grant funds under this subchapter.~~

2 ~~"Shared ride public transportation services." The term shall~~
3 ~~include demand responsive transportation that is available to~~
4 ~~the general public, operates on a nonfixed route basis and~~
5 ~~charges a fare to all riders. For transportation to be included~~
6 ~~in this term, the first fare paying passengers to enter the~~
7 ~~public transportation vehicle may not refuse to share the~~
8 ~~vehicle with other passengers during a given trip. The term does~~
9 ~~not include exclusive ride taxi service, charter or sightseeing~~
10 ~~services, nonpublic transportation and school bus or limousine~~
11 ~~services.~~

12 ~~"Transit vehicle." A self propelled or electrically~~
13 ~~propelled vehicle designed for carrying four or more passengers,~~
14 ~~exclusive of the driver, other than a taxicab, designed and used~~
15 ~~for the transportation of persons for compensation.~~

16 ~~"Transportation company." A person, firm or corporation~~
17 ~~rendering public passenger service, with or without the~~
18 ~~rendering of another service, in this Commonwealth pursuant to~~
19 ~~common carrier authorization from the Pennsylvania Public~~
20 ~~Utility Commission or the Interstate Commerce Commission.~~

21 ~~"Urban common carrier mass transportation." Transportation~~
22 ~~within an area that includes a municipality or other built up~~
23 ~~place which is appropriate, in the judgment of the department,~~
24 ~~for a common carrier transportation system to serve commuters or~~
25 ~~others in the locality, taking into consideration the local~~
26 ~~patterns and trends of urban growth, by bus or rail or other~~
27 ~~conveyance, either publicly or privately owned, serving the~~
28 ~~general public, but not including school buses or charter or~~
29 ~~sightseeing services.~~

30 ~~§ 7804. Persons with Special Medical Needs Shared Ride Program.~~

~~(a) Power and duty of department. The department shall establish and administer a program authorizing grants to eligible applicants that agree to provide shared ride public transportation services to eligible persons with special medical needs. As part of the program, the department shall:~~

~~(1) Establish a process through which potential providers receive notice of the program, are given the opportunity to submit grant proposals and are evaluated based on eligibility criteria established by this subchapter.~~

~~(2) Award grants to providers that meet the eligibility criteria established by this subchapter.~~

~~(3) Enter into contracts with providers that meet the eligibility criteria established by this subchapter.~~

~~(b) Request for proposal process. The department shall establish a request for proposal process wherein notice of the program is published in the Pennsylvania Bulletin, eligible applicants are given an opportunity to submit proposals and the proposals are evaluated. For any eligible applicant to receive grant funds under the program, the applicant's proposal must demonstrate each of the following:~~

~~(1) The applicant has the ability to provide shared ride, point to point accessible services for eligible persons with special medical needs.~~

~~(2) The applicant has the ability to limit access to the program to those eligible persons with special medical needs.~~

~~(3) The applicant has the ability to administer the program such that eligible persons with special medical needs pay no more than 15% of the full fare cost of the transportation.~~

~~(4) The applicant has the ability to implement an~~

1 ~~eligibility verification process to ensure that access to the~~
2 ~~program is limited to eligible persons with special medical~~
3 ~~needs.~~

4 ~~(5) The applicant has the ability to compile such~~
5 ~~information as the department may require.~~

6 ~~(6) The applicant has the ability to solicit and receive~~
7 ~~public participation from persons with special medical needs~~
8 ~~in the development of the application and the planning,~~
9 ~~implementation and administration of the program.~~

10 ~~(7) The applicant has the ability to serve either~~
11 ~~portions of a county that are rural in nature or portions of~~
12 ~~a county not currently served by fixed route public~~
13 ~~transportation services.~~

14 ~~(c) Grant awards. The department may award grants to any~~
15 ~~provider that meets the eligibility criteria in subsection (b),~~
16 ~~provided, that, in determining grant awards, the department~~
17 ~~shall:~~

18 ~~(1) Ensure that applicants from rural, suburban and~~
19 ~~urban areas of this Commonwealth are considered for grant~~
20 ~~funds.~~

21 ~~(2) Give priority to applicants whose service areas are~~
22 ~~rural in nature or whose service areas are not currently~~
23 ~~served by fixed route public transportation services.~~

24 ~~(3) Give priority to applicants that have the ability to~~
25 ~~provide or coordinate services across county lines.~~

26 ~~(d) Limitation on grant amounts. Grants authorized to a~~
27 ~~provider under this subchapter shall be limited to an amount~~
28 ~~equal to 85% of the total cost of each provider's program.~~

29 ~~Individuals utilizing the program shall contribute the remaining~~
30 ~~15% through fares.~~

~~(c) Agreement. The department may enter into an agreement with any provider that meets the criteria under subsections (b) and (c) to award grant funds under this subchapter. The agreement shall include terms requiring that grant funds be used in accordance with the proposal submitted to the department by the provider. The time, payment, amount and any other conditions on the receipt of the grant funds shall be set forth in the agreement.~~

~~§ 7805. Construction.~~

~~Nothing in this subchapter shall be construed as creating or providing any individual with an entitlement to services. Services under this subchapter shall be made available only to the extent of availability and level of appropriations made by the General Assembly.~~

~~Section 10. The sum of \$2,000,000, or as much thereof as may be necessary, is hereby appropriated to the Department of Transportation to carry out the Persons with Special Medical Needs Shared Ride Program established in 75 Pa.C.S. Ch. 78 Subch. A.~~

SECTION 9. TITLE 75 IS AMENDED BY ADDING A CHAPTER TO READ: <—

CHAPTER 78

SPECIAL PROGRAMS

SUBCHAPTER

A. PERSONS WITH DISABILITIES SHARED-RIDE PILOT PROGRAM

SUBCHAPTER A

PERSONS WITH DISABILITIES

SHARED-RIDE PILOT PROGRAM

SEC.

7801. PERSONS WITH DISABILITIES SHARED-RIDE PILOT PROGRAM.

§ 7801. PERSONS WITH DISABILITIES SHARED-RIDE PILOT PROGRAM.

1 THE DEPARTMENT SHALL ESTABLISH OR ADMINISTER A SHARED-RIDE
2 PILOT PROGRAM FOR PERSONS WITH DISABILITIES, AUTHORIZING GRANTS
3 TO ELIGIBLE APPLICANTS AS DETERMINED BY THE DEPARTMENT. THE
4 DEPARTMENT IS FURTHER AUTHORIZED TO TAKE ANY ACTION THAT WILL
5 FACILITATE THE GATHERING OR ANALYZING OF INFORMATION DEVELOPED
6 BY THE PILOT PROGRAM.

7 Section ~~11~~ 10. This act shall take effect in 60 days.

<—