

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1553 Session of 2001

INTRODUCED BY CIVERA, ARMSTRONG, M. BAKER, BARLEY, BARRAR, BELFANTI, CALTAGIRONE, CAPPELLI, CREIGHTON, CRUZ, DALEY, DALLY, DERMODY, DeWEESE, FEESE, FICHTER, FLEAGLE, FORCIER, GEIST, GODSHALL, HARHAI, HARHART, HESS, HORSEY, HUTCHINSON, KELLER, KREBS, LaGROTTA, LAUGHLIN, LEH, LESCOVITZ, McCALL, McILHATTAN, McNAUGHTON, METCALFE, NICKOL, PALLONE, PETRARCA, PHILLIPS, READSHAW, ROHRER, ROONEY, ROSS, SAINATO, SANTONI, SATHER, SAYLOR, SHANER, S. H. SMITH, SOLOBAY, STERN, R. STEVENSON, T. STEVENSON, SURRA, E. Z. TAYLOR, THOMAS, WALKO, WANSACZ, WOJNAROSKI, YEWCIC, YOUNGBLOOD, TRELLO, HASAY, ROBERTS, HANNA, SCHULER, PIPPY, COLEMAN, STEELMAN, WATERS, BENNINGHOFF AND S. MILLER, MAY 8, 2001

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 12, 2002

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for footrests and handlebars on
3 motorcycles; PROVIDING FOR LIGHTED LAMP REQUIREMENTS FOR
4 MOTORCYCLES; AND FURTHER PROVIDING FOR PERIODS FOR REQUIRING
5 LIGHTED LAMPS AND FOR SCOPE AND APPLICATION OF PROVISIONS
6 RELATING TO SIZE, WEIGHT AND LOAD. <—

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

9 Section 1. Section 3524 of Title 75 of the Pennsylvania
10 Consolidated Statutes is amended to read:

11 § 3524. Footrests and [handlebars] handhold.

12 [(a) Passengers.--]Any motorcycle carrying a passenger,
13 other than in a sidecar or enclosed cab, shall be equipped with
14 footrests and handhold for the passenger.

1 [(b) Height of handlebars.--No person shall operate any
2 motorcycle with handlebars above shoulder-height of the operator
3 while properly seated upon the motorcycle.]

4 SECTION 2. TITLE 75 IS AMENDED BY ADDING A SECTION TO READ: <—

5 § 3526. LIGHTED LAMP REQUIREMENTS FOR MOTORCYCLES.

6 NOTWITHSTANDING THE PROVISIONS OF SECTION 4302 (RELATING TO
7 PERIODS FOR REQUIRING LIGHTED LAMPS), THE OPERATOR OF A
8 MOTORCYCLE, MANUFACTURED DURING OR AFTER 1973, UPON A HIGHWAY
9 SHALL DISPLAY THE LIGHTED HEAD LAMPS AND OTHER LAMPS AND
10 ILLUMINATING DEVICES REQUIRED UNDER CHAPTER 43 (RELATING TO
11 LIGHTING EQUIPMENT) AT ALL TIMES.

12 SECTION 3. SECTION 4302 OF TITLE 75 IS AMENDED BY ADDING A
13 SUBSECTION TO READ:

14 § 4302. PERIODS FOR REQUIRING LIGHTED LAMPS.

15 * * *

16 (C) APPLICABILITY.--THIS SECTION SHALL NOT APPLY TO
17 MOTORCYCLES.

18 SECTION 4. SECTION 4901(C) OF TITLE 75 IS AMENDED AND THE
19 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

20 § 4901. SCOPE AND APPLICATION OF CHAPTER.

21 * * *

22 (C) PERMIT AUTHORIZING PROHIBITED MOVEMENT.--IF AN
23 OVERWEIGHT OR OVERSIZE MOVEMENT CANNOT BE MADE IN ANY OTHER
24 FEASIBLE MANNER, THE PERMIT MAY AUTHORIZE THE MOVEMENT TO BE
25 MADE IN CONTRAVENTION TO ANY PROVISION OF THIS TITLE PROVIDED
26 THAT:

27 (1) THE DEPARTMENT OR LOCAL AUTHORITY DETERMINES THAT
28 THE MOVEMENT IS IN THE PUBLIC INTEREST; AND

29 (2) THE MOVEMENT IS ESCORTED BY THE PENNSYLVANIA STATE
30 POLICE, EXTRA-DUTY PENNSYLVANIA STATE POLICE OR DEPARTMENT

PERSONNEL [WHILE ANY PROVISION OF THIS TITLE IS BEING
CONTRAVENED]. IF THE MOVEMENT IS ESCORTED BY EXTRA-DUTY
PENNSYLVANIA STATE POLICE OR DEPARTMENT PERSONNEL, THE
FOLLOWING SHALL APPLY:

(I) APPROVAL MUST BE OBTAINED FROM THE PENNSYLVANIA
STATE POLICE.

(II) THE PERMITTEE SHALL BEAR THE EXPENSE OF
ESCORTING THE MOVEMENT.

(III) EXTRA-DUTY PENNSYLVANIA STATE POLICE AND
DEPARTMENT PERSONNEL SHALL BE IMMUNE FROM CIVIL OR
CRIMINAL LIABILITY ARISING FROM ESCORTING A MOVEMENT IN
ACCORDANCE WITH THIS PARAGRAPH.

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(E) DEFINITION.--AS USED IN THIS SECTION, THE TERM "EXTRA-
DUTY PENNSYLVANIA STATE POLICE" MEANS SWORN MEMBERS OF THE
PENNSYLVANIA STATE POLICE ASSIGNED, ON A VOLUNTARY BASIS, TO
PERFORM WORK OUTSIDE OF THEIR REGULARLY SCHEDULED SHIFT ON AN
OVERTIME BASIS, TO A DETAIL THAT IS THE EXCLUSIVE ACTIVITY TO BE
PERFORMED DURING THE SHIFT ASSIGNMENT.

Section 2 5. This act shall take effect in 60 days.

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