
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 347 Session of
2007

INTRODUCED BY COSTA, BELFANTI, BIANCUCCI, CALTAGIRONE, CAPPELLI,
CARROLL, CREIGHTON, ELLIS, FABRIZIO, GERGELY, GOODMAN,
GRUCELA, HUTCHINSON, JAMES, KOTIK, MAHONEY, McILHATTAN,
M. O'BRIEN, PETRONE, RAPP, RAYMOND, SCAVELLO, SOLOBAY,
YOUNGBLOOD, YUDICHAK, BARRAR, PICKETT, GEIST, SIPTROTH,
HORNAMAN, MURT, LONGIETTI, HARPER, KORTZ AND PALLONE,
FEBRUARY 9, 2007

SENATOR ARMSTRONG, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, OCTOBER 6, 2008

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, IN GENERAL PROVISIONS, FURTHER PROVIDING FOR <—
3 DEFINITIONS; IN REGISTRATION OF VEHICLES, FURTHER PROVIDING <—
4 FOR ISSUANCE AND REISSUANCE OF REGISTRATION PLATES AND FOR
5 LOST, STOLEN, DAMAGED OR ILLEGIBLE REGISTRATION PLATE; IN <—
6 LICENSING OF DRIVERS, FURTHER PROVIDING FOR ISSUANCE AND
7 CONTENT OF DRIVER'S LICENSE; IN COMMERCIAL DRIVERS, further
8 providing for DEFINITIONS FOR REQUIREMENT FOR COMMERCIAL <—
9 DRIVER'S LICENSE, FOR commercial driver's license
10 qualification standards AND FOR DISQUALIFICATION; IN FEES, <—
11 FURTHER PROVIDING FOR EXEMPTIONS FROM OTHER FEES; IN RULES OF
12 THE ROAD IN GENERAL, FURTHER PROVIDING FOR SPEED TIMING
13 DEVICES; IN INSPECTION OF VEHICLES, FURTHER PROVIDING FOR
14 INSPECTION BY POLICE OR COMMONWEALTH PERSONNEL; IN SIZE, <—
15 WEIGHT AND LOAD, FURTHER PROVIDING FOR SECURING LOADS IN
16 VEHICLES, FOR HEIGHT OF VEHICLES AND FOR PERMIT FOR MOVEMENT
17 DURING COURSE OF MANUFACTURE; IN POWERS OF DEPARTMENT AND
18 LOCAL AUTHORITIES, FURTHER PROVIDING FOR PROMULGATION OF
19 RULES AND REGULATIONS BY DEPARTMENT; AND IN SNOWMOBILES AND
20 ALL-TERRAIN VEHICLES, FURTHER PROVIDING FOR DEFINITIONS.

21 The General Assembly of the Commonwealth of Pennsylvania

22 hereby enacts as follows:

23 ~~Section 1. Section 1607(b) of Title 75 of the Pennsylvania~~ <—

1 ~~Consolidated Statutes is amended to read:~~

2 ~~SECTION 1. SECTION 1331(F) OF TITLE 75 OF THE PENNSYLVANIA~~ <—

3 ~~CONSOLIDATED STATUTES IS AMENDED TO READ:~~

4 SECTION 1. THE DEFINITION OF "MOTOR VEHICLE" IN SECTION 102 <—

5 OF TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES IS AMENDED
6 TO READ:

7 § 102. DEFINITIONS.

8 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT
9 PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC
10 PROVISIONS OF THIS TITLE, THE FOLLOWING WORDS AND PHRASES WHEN
11 USED IN THIS TITLE SHALL HAVE, UNLESS THE CONTEXT CLEARLY
12 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

13 * * *

14 "MOTOR VEHICLE." A VEHICLE WHICH IS SELF-PROPELLED EXCEPT AN
15 ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE OR A VEHICLE WHICH
16 IS PROPELLED SOLELY BY HUMAN POWER [OR BY ELECTRIC POWER
17 OBTAINED FROM OVERHEAD TROLLEY WIRES, BUT NOT OPERATED UPON
18 RAILS].

19 * * *

20 SECTION 2. SECTION 1331(F) OF TITLE 75 IS AMENDED TO READ:

21 § 1331. ISSUANCE AND REISSUANCE OF REGISTRATION PLATES.

22 * * *

23 (F) PERIODIC REISSUANCE OF REGISTRATION PLATES.--THE
24 DEPARTMENT SHALL DEVELOP, IMPLEMENT AND ADMINISTER A PROGRAM TO
25 PROVIDE FOR THE REISSUANCE OF [ALL] CURRENT REGISTRATION PLATES
26 PREVIOUSLY ISSUED UNDER THIS SECTION. THE PROGRAM TO BE
27 ESTABLISHED UNDER THIS SUBSECTION SHALL ADDRESS [ALL OF] THE
28 FOLLOWING CRITERIA:

29 (1) OTHER THAN THE ANNUAL REGISTRATION FEE REQUIRED
30 UNDER SECTIONS 1305 (RELATING TO APPLICATION FOR

1 REGISTRATION) AND 1309 (RELATING TO RENEWAL OF REGISTRATION)
2 AND SUBCHAPTER B OF CHAPTER 19 (RELATING TO REGISTRATION
3 FEES), THE REISSUED REGISTRATION PLATE SHALL BE ISSUED UNDER
4 SECTION 1934 (RELATING TO GENERAL REISSUANCE).

5 (2) THE PROGRAM SHALL PROVIDE THAT [ALL] CURRENT
6 REGISTRATION PLATES ISSUED UNDER THIS SECTION BE REPLACED.
7 THE PROGRAM MAY PROVIDE THAT THE DEPARTMENT PROVIDE FOR
8 REISSUANCE OF REGISTRATION PLATES ON A STAGGERED BASIS WHICH
9 WILL REPLACE [ALL] REGISTRATION PLATES ISSUED UNDER THIS
10 SECTION.

11 (3) THE PROGRAM MAY PROVIDE FOR THE RETURN OF AND THE
12 RECYCLING OF THE OLDER REGISTRATION PLATES.

13 [(4) THE PROGRAM SHALL PROVIDE THAT AT THE END OF A TEN-
14 YEAR CYCLE NO REGISTRATION PLATE ISSUED UNDER THIS SECTION BE
15 OLDER THAN TEN YEARS.

16 (5) THE PROGRAM SHALL REQUIRE ANNUAL REPORTS TO THE
17 TRANSPORTATION COMMITTEE OF THE SENATE AND THE TRANSPORTATION
18 COMMITTEE OF THE HOUSE OF REPRESENTATIVES ON THE ISSUE OF
19 REGISTRATION AVOIDANCE.]

20 (6) THE PROGRAM MAY CONTAIN ANY OTHER CONDITIONS,
21 LIMITATIONS, CONTRACTUAL ARRANGEMENTS OR OTHER FACTORS WHICH
22 THE DEPARTMENT DEEMS NECESSARY TO IMPLEMENT THIS SUBSECTION.

23 SECTION ~~2~~ 3. SECTION 1333 OF TITLE 75 IS AMENDED BY ADDING A ←
24 SUBSECTION TO READ:

25 § 1333. LOST, STOLEN, DAMAGED OR ILLEGIBLE REGISTRATION PLATE.

26 * * *

27 (B.1) ILLEGIBLE REGISTRATION PLATE.--THE DEPARTMENT MAY
28 REISSUE A REGISTRATION PLATE UPON REQUEST BY A REGISTRANT WHEN
29 IT IS DETERMINED BY AN AUTHORIZED REPRESENTATIVE OF THE
30 DEPARTMENT OR LAW ENFORCEMENT THAT THE REGISTRATION PLATE IS

1 ILLEGIBLE FROM A REASONABLE DISTANCE. THE DEPARTMENT MAY SELECT
2 THE STYLE OF THE REISSUED REGISTRATION PLATE AND, EXCEPT IN THE
3 CASE OF PERSONAL REGISTRATION PLATES ISSUED UNDER SECTION
4 1341(RELATING TO SPECIAL REGISTRATION PLATES GENERALLY), THE
5 REGISTRATION PLATE NUMBER.

6 * * *

7 ~~SECTION 3. SECTION 1607(B) OF TITLE 75 IS AMENDED TO READ:~~ <—

8 SECTION 4. SECTION 1510(A) AND (B) OF TITLE 75 ARE AMENDED <—

9 AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

10 § 1510. ISSUANCE AND CONTENT OF DRIVER'S LICENSE.

11 (A) GENERAL RULE.--THE DEPARTMENT SHALL, UPON PAYMENT OF THE
12 REQUIRED FEE, ISSUE TO EVERY QUALIFIED APPLICANT A DRIVER'S
13 LICENSE INDICATING THE TYPE OR GENERAL CLASS OF VEHICLES THE
14 LICENSEE IS AUTHORIZED TO DRIVE AND ANY ENDORSEMENTS OR
15 RESTRICTIONS, WHICH LICENSE, EXCEPT AS PROVIDED IN SUBSECTION
16 (J), SHALL CONTAIN A DISTINGUISHING NUMBER ASSIGNED BY THE
17 DEPARTMENT TO THE LICENSEE, THE ACTUAL NAME, DATE OF BIRTH,
18 RESIDENCE ADDRESS, A COLOR PHOTOGRAPH OR PHOTOGRAPHIC FACSIMILE
19 OF THE LICENSEE, SUCH OTHER INFORMATION AS MAY BE REQUIRED BY
20 THE DEPARTMENT, AND EITHER A FACSIMILE OF THE SIGNATURE OF THE
21 LICENSEE OR A SPACE UPON WHICH THE LICENSEE SHALL WRITE HIS
22 USUAL SIGNATURE WITH PEN AND INK. PROGRAM PARTICIPANTS IN THE
23 ADDRESS CONFIDENTIALITY PROGRAM UNDER 23 PA.C.S. CH. 67
24 (RELATING TO DOMESTIC AND SEXUAL VIOLENCE VICTIM ADDRESS
25 CONFIDENTIALITY) MAY USE A SUBSTITUTE ADDRESS DESIGNATED BY THE
26 OFFICE OF VICTIM ADVOCATE AS THEIR ADDRESS. PERSONAL MEDICAL
27 DATA AND OTHER INFORMATION FOR USE IN AN EMERGENCY MAY BE
28 INCLUDED AS A PART OF THE LICENSE. INFORMATION OTHER THAN THAT
29 REQUIRED TO IDENTIFY THE LICENSEE, THE DISTINGUISHING NUMBER AND
30 THE CLASS OF LICENSE ISSUED MAY BE INCLUDED IN MICRODATA FORM.

1 EXCEPT AS PROVIDED IN SUBSECTION (F), AN APPLICANT SHALL INCLUDE
2 HIS SOCIAL SECURITY NUMBER ON HIS LICENSE APPLICATION, BUT THE
3 SOCIAL SECURITY NUMBER SHALL NOT BE INCLUDED ON THE LICENSE. NO
4 DRIVER'S LICENSE SHALL BE VALID UNTIL IT HAS BEEN SIGNED BY THE
5 LICENSEE.

6 (B) IDENTIFICATION CARD.--THE DEPARTMENT SHALL, UPON PAYMENT
7 OF THE REQUIRED FEE, ISSUE AN IDENTIFICATION CARD TO ANY PERSON
8 TEN YEARS OF AGE OR OLDER WHO HAS MADE APPLICATION THEREFOR IN
9 SUCH MANNER AS THE DEPARTMENT SHALL PRESCRIBE OR WHOSE DRIVER'S
10 LICENSE HAS BEEN SURRENDERED TO THE DEPARTMENT BECAUSE OF A
11 SUSPENSION OR REVOCATION OF AN OPERATING PRIVILEGE UNDER THIS OR
12 ANY OTHER TITLE. PROGRAM PARTICIPANTS IN THE ADDRESS
13 CONFIDENTIALITY PROGRAM UNDER 23 PA.C.S. CH. 67 MAY USE A
14 SUBSTITUTE ADDRESS DESIGNATED BY THE OFFICE OF VICTIM ADVOCATE
15 AS THEIR ADDRESS. [THE] EXCEPT AS PROVIDED IN SUBSECTION (J),
16 THE IDENTIFICATION CARD SHALL HAVE SUBSTANTIALLY THE SAME
17 CONTENT AS A DRIVER'S LICENSE BUT SHALL CLEARLY INDICATE THAT IT
18 IS NOT A DRIVER'S LICENSE. UPON FAILURE OF ANY PERSON TO PASS
19 ANY EXAMINATION REQUIRED UNDER SECTION 1514 (RELATING TO
20 EXPIRATION AND RENEWAL OF DRIVERS' LICENSES), THE DEPARTMENT
21 SHALL, WHERE APPROPRIATE, ISSUE A COMPLIMENTARY IDENTIFICATION
22 CARD AS AN EXPRESSION OF GRATITUDE FOR YEARS OF SAFE DRIVING.
23 THE CARD SHALL ONLY BE ISSUED UPON RECEIPT OF THE PERSON'S
24 DRIVER'S LICENSE.

25 * * *

26 (J) UNDERCOVER CREDENTIAL.--THE DEPARTMENT MAY ISSUE AN
27 UNDERCOVER CREDENTIAL TO FEDERAL, STATE OR LOCAL LAW ENFORCEMENT
28 OFFICIALS. THE DEPARTMENT MAY ESTABLISH GUIDELINES CONCERNING
29 THE ISSUANCE OF SUCH UNDERCOVER CREDENTIALS AND SHALL TAKE ALL
30 REASONABLE STEPS TO ENSURE THE CONFIDENTIALITY OF THESE LICENSES

1 AND THEIR ISSUANCE.

2 SECTION 5. THE DEFINITION OF "CONVICTION" IN SECTION 1603 OF
3 TITLE 75 IS AMENDED TO READ:

4 § 1603. DEFINITIONS.

5 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
6 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
7 CONTEXT CLEARLY INDICATES OTHERWISE:

8 * * *

9 "CONVICTION." FOR THE PURPOSES OF THIS CHAPTER, A CONVICTION
10 INCLUDES A FINDING OF GUILTY OR THE ENTERING OF A PLEA OF
11 GUILTY, NOLO CONTENDERE OR THE UNVACATED FORFEITURE OF BAIL OR
12 COLLATERAL DEPOSITED TO SECURE A PERSON'S APPEARANCE IN COURT AS
13 DETERMINED BY THE LAW OF THE JURISDICTION IN WHICH THE
14 PROSECUTION WAS HELD. A PAYMENT OF THE FINE OR COURT COST OR
15 ENTERING INTO AN INSTALLMENT AGREEMENT TO PAY THE FINE OR COURT
16 COST FOR THE VIOLATION BY ANY PERSON CHARGED WITH A VIOLATION OF
17 THIS TITLE IS A PLEA OF GUILTY. THE TERM SHALL INCLUDE THE
18 ACCEPTANCE OF ACCELERATED REHABILITATIVE DISPOSITION OR OTHER
19 PREADJUDICATION DISPOSITION FOR AN OFFENSE OR AN UNVACATED
20 FINDING OF GUILT OR DETERMINATION OF VIOLATION OF THE LAW OR
21 FAILURE TO COMPLY WITH THE LAW BY AN AUTHORIZED ADMINISTRATIVE
22 TRIBUNAL. THE TERM ALSO INCLUDES A VIOLATION OF A CONDITION OF
23 RELEASE WITHOUT BAIL, INCLUDING THE FAILURE TO PAY A FINE OR
24 APPEAR IN COURT TO CONTEST A CITATION. THE TERM DOES NOT INCLUDE
25 A CONVICTION WHICH HAS BEEN OVERTURNED OR FOR WHICH AN
26 INDIVIDUAL HAS BEEN PARDONED.

27 * * *

28 SECTION 6. SECTIONS 1606 AND 1607(B) OF TITLE 75 ARE AMENDED
29 TO READ:

30 § 1606. REQUIREMENT FOR COMMERCIAL DRIVER'S LICENSE.

1 (A) WHEN REQUIRED.--NO PERSON, EXCEPT THOSE SPECIFICALLY
2 EXEMPTED IN SUBSECTION (B), SHALL DRIVE A COMMERCIAL MOTOR
3 VEHICLE UNLESS THE PERSON HAS BEEN ISSUED AND IS IN IMMEDIATE
4 POSSESSION OF A VALID COMMERCIAL DRIVER'S LICENSE AND APPLICABLE
5 ENDORSEMENTS VALID FOR THE VEHICLE HE IS DRIVING.

6 (B) EXEMPTIONS.--THE FOLLOWING PERSONS ARE NOT REQUIRED TO
7 OBTAIN A COMMERCIAL DRIVER'S LICENSE IN ORDER TO DRIVE THE
8 COMMERCIAL MOTOR VEHICLE SPECIFIED:

9 (1) A PERSON WITH A COMMERCIAL DRIVER LEARNER'S PERMIT
10 WHO IS ACCOMPANIED BY THE HOLDER OF A COMMERCIAL DRIVER'S
11 LICENSE VALID FOR THE VEHICLE BEING DRIVEN.

12 (2) A PERSON IN THE SERVICE OF THE ARMED FORCES OF THE
13 UNITED STATES, INCLUDING MEMBERS OF THE RESERVES AND NATIONAL
14 GUARD ON ACTIVE DUTY; PERSONNEL ON FULL-TIME NATIONAL GUARD
15 DUTY; AND PERSONNEL ON INACTIVE NATIONAL GUARD DUTY TRAINING
16 OR PART-TIME NATIONAL GUARD TRAINING AND NATIONAL GUARD
17 MILITARY TECHNICIANS WHO ARE REQUIRED TO WEAR MILITARY
18 UNIFORMS [AND ARE SUBJECT TO THE UNIFORM CODE OF MILITARY
19 JUSTICE WHEN OPERATING EQUIPMENT OWNED OR OPERATED BY THE
20 DEPARTMENT OF DEFENSE], AND ACTIVE DUTY UNITED STATES COAST
21 GUARD PERSONNEL WHEN OPERATING COMMERCIAL MOTOR VEHICLES FOR
22 MILITARY PURPOSES.

23 (3) A PERSON WHO IS A VOLUNTEER OR PAID FIREFIGHTER WITH
24 A CLASS C LICENSE AND WHO HAS A CERTIFICATE OF AUTHORIZATION
25 FROM HIS FIRE CHIEF WHILE OPERATING A FIRE OR EMERGENCY
26 VEHICLE REGISTERED TO THE FIRE DEPARTMENT OR MUNICIPALITY.

27 (4) ANY MEMBER OF A RESCUE OR EMERGENCY SQUAD WHO IS THE
28 HOLDER OF A CLASS C LICENSE AND WHO HAS A CERTIFICATE OF
29 AUTHORIZATION FROM THE HEAD OF THE RESCUE OR EMERGENCY SQUAD
30 WHILE OPERATING ANY RESCUE OR EMERGENCY VEHICLE EQUIPPED WITH

1 AUDIBLE AND VISUAL SIGNALS REGISTERED TO THE RESCUE OR
2 EMERGENCY SQUAD OR MUNICIPALITY.

3 (5) A DRIVER WITH A CLASS C LICENSE OPERATING A FARM
4 VEHICLE WHICH IS CONTROLLED AND OPERATED BY A FARMER AND USED
5 EXCLUSIVELY TO TRANSPORT AGRICULTURAL PRODUCTS, FARM
6 MACHINERY OR FARM SUPPLIES TO OR FROM A FARM. THE FARM
7 VEHICLE MAY NOT BE USED IN THE OPERATIONS OF A COMMON OR
8 CONTRACT CARRIER AND MAY BE USED ONLY WITHIN A RADIUS OF 150
9 MILES OF THE FARM.

10 (6) A DRIVER WITH A CLASS C LICENSE OPERATING A SCHOOL
11 BUS, SCHOOL VEHICLE OR OTHER COMMERCIAL VEHICLE AT THE
12 DIRECTION OF AUTHORIZED EMERGENCY MANAGEMENT PERSONNEL IN A
13 TIME OF DECLARED FEDERAL, STATE OR LOCAL EMERGENCY. A PERSON
14 DRIVING A SCHOOL BUS, SCHOOL VEHICLE OR OTHER COMMERCIAL
15 VEHICLE PURSUANT TO THIS PARAGRAPH SHALL NOT BE SUBJECT TO
16 SANCTIONS UNDER THE PROVISIONS OF THIS CHAPTER OR SECTION
17 3742.1 (RELATING TO ACCIDENTS INVOLVING DEATH OR PERSONAL
18 INJURY WHILE NOT PROPERLY LICENSED).

19 (C) PROHIBITIONS.--

20 (1) NO PERSON SHALL DRIVE A COMMERCIAL MOTOR VEHICLE OR
21 A SCHOOL VEHICLE DURING ANY PERIOD IN WHICH:

22 (I) HIS PRIVILEGE TO DRIVE A COMMERCIAL MOTOR
23 VEHICLE OR A SCHOOL VEHICLE IN A STATE HAS BEEN REMOVED
24 FOR ANY REASON, INCLUDING DISQUALIFICATION, UNTIL THE
25 PERSON'S COMMERCIAL OPERATING PRIVILEGE HAS BEEN
26 RESTORED;

27 (II) HIS OPERATING PRIVILEGE IS SUSPENDED, REVOKED,
28 CANCELED OR RECALLED UNTIL THE PERSON'S OPERATING
29 PRIVILEGE HAS BEEN RESTORED; OR

30 (III) [HE] THE DRIVER OR VEHICLE HAS BEEN PLACED

1 UNDER AN OUT-OF-SERVICE ORDER.

2 (2) NO PERSON WHO OPERATES A COMMERCIAL MOTOR VEHICLE
3 SHALL AT ANY TIME HAVE MORE THAN ONE COMMERCIAL DRIVER'S
4 LICENSE.

5 (C.1) ADDITIONAL PROHIBITIONS.--NO PERSON SHALL DRIVE A
6 COMMERCIAL MOTOR VEHICLE DURING ANY PERIOD OF TIME THAT THE
7 MOTOR CARRIER HAS BEEN PLACED UNDER AN OUT-OF-SERVICE ORDER.

8 (D) PENALTIES.--

9 (1) EXCEPT AS PROVIDED IN PARAGRAPH (6), A PERSON WHO
10 VIOLATES SUBSECTION (A) COMMITS A SUMMARY OFFENSE AND SHALL,
11 UPON CONVICTION, BE SENTENCED TO PAY A FINE OF \$500. EXCEPT
12 THAT, IF THE PERSON CHARGED FURNISHES SATISFACTORY PROOF OF
13 HAVING HELD A COMMERCIAL DRIVER'S LICENSE VALID ON THE LAST
14 DAY OF THE PRECEDING DRIVER'S LICENSE PERIOD AND NO MORE THAN
15 60 DAYS HAVE ELAPSED FROM THE LAST DATE OF RENEWAL, THE FINE
16 SHALL BE \$100. EXCEPT AS PROVIDED IN PARAGRAPH (6), EVERY
17 PERSON CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF
18 SUBSECTION (A) SHALL BE SENTENCED TO PAY A FINE OF NOT LESS
19 THAN \$500 NOR MORE THAN \$1,500.

20 (2) A PERSON WHO DRIVES A COMMERCIAL MOTOR VEHICLE OR A
21 SCHOOL VEHICLE WHILE SUBJECT TO DISQUALIFICATION COMMITS A
22 SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE SENTENCED TO
23 PAY A FINE OF \$500. EVERY PERSON CONVICTED OF A SECOND OR
24 SUBSEQUENT VIOLATION OF DRIVING A COMMERCIAL MOTOR VEHICLE
25 WHILE SUBJECT TO DISQUALIFICATION SHALL BE SENTENCED TO PAY A
26 FINE OF NOT LESS THAN \$500 NOR MORE THAN \$1,500.

27 (3) A PERSON WHO DRIVES A COMMERCIAL MOTOR VEHICLE OR A
28 SCHOOL VEHICLE WHILE SUBJECT TO DISQUALIFICATION UNDER
29 SECTION 1611(B) OR (E) (RELATING TO DISQUALIFICATION) COMMITS
30 A SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE SENTENCED TO

1 PAY A FINE OF \$1,000 OR TO IMPRISONMENT FOR SIX MONTHS, OR
2 BOTH.

3 (4) A PERSON WHO DRIVES A COMMERCIAL MOTOR VEHICLE OR A
4 SCHOOL VEHICLE IN VIOLATION OF AN OUT-OF-SERVICE ORDER ISSUED
5 UNDER SECTION 1612 (RELATING TO COMMERCIAL DRIVERS PROHIBITED
6 FROM OPERATING WITH ANY ALCOHOL IN SYSTEM) COMMITS A SUMMARY
7 OFFENSE AND SHALL, UPON CONVICTION, BE SENTENCED TO PAY A
8 FINE OF [NOT LESS THAN \$1,100 NOR MORE THAN \$2,750] \$2,500
9 FOR A FIRST OFFENSE AND \$5,000 FOR A SECOND OR SUBSEQUENT
10 OFFENSE.

11 (5) A PERSON WHO DRIVES A COMMERCIAL MOTOR VEHICLE OR A
12 SCHOOL VEHICLE IN VIOLATION OF AN OUT-OF-SERVICE ORDER (OTHER
13 THAN AN OUT-OF-SERVICE ORDER ISSUED UNDER SECTION 1612)
14 COMMITS A SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE
15 SENTENCED TO PAY A FINE OF [\$1,100] \$2,500 FOR A FIRST
16 OFFENSE AND \$5,000 FOR A SECOND OR SUBSEQUENT OFFENSE.

17 (6) NO PERSON SHALL BE CONVICTED OF VIOLATING SUBSECTION
18 (A) IF THE PERSON PRODUCES AT THE OFFICE OF THE ISSUING
19 AUTHORITY WITHIN 15 DAYS OF THE VIOLATION:

20 (I) A COMMERCIAL DRIVER'S LICENSE VALID IN THIS
21 COMMONWEALTH AT THE TIME OF THE VIOLATION; OR

22 (II) IF THE COMMERCIAL DRIVER'S LICENSE IS LOST,
23 STOLEN, DESTROYED OR ILLEGIBLE, EVIDENCE THAT THE DRIVER
24 WAS LICENSED AT THE TIME OF THE VIOLATION AND THAT
25 APPLICATION FOR A DUPLICATE LICENSE HAD BEEN MADE AT THE
26 TIME OF THE VIOLATION.

27 (7) A PERSON WHO DRIVES A COMMERCIAL MOTOR VEHICLE IN
28 VIOLATION OF SUBSECTION (C)(1)(II) COMMITS A SUMMARY OFFENSE
29 AND SHALL, UPON CONVICTION, BE SENTENCED TO PAY A FINE OF
30 \$1,000.

1 (8) A PERSON WHO DRIVES A COMMERCIAL MOTOR VEHICLE IN
2 VIOLATION OF SUBSECTION (C)(2) COMMITS A SUMMARY OFFENSE AND
3 SHALL, UPON CONVICTION, BE SENTENCED TO PAY A FINE OF \$1,000.

4 (E) CONVICTIONS AND FINES CUMULATIVE.--ANY VIOLATIONS
5 BROUGHT UNDER THIS SECTION AND FINES IMPOSED UNDER THIS SECTION
6 SHALL BE IN ADDITION TO VIOLATIONS BROUGHT AND FINES IMPOSED
7 UNDER ANY OTHER SECTIONS OF THIS TITLE.

8 § 1607. Commercial driver's license qualification standards.

9 * * *

10 (b) Waiver of test.--The department shall waive the skills
11 test specified in this section for a commercial driver's license
12 applicant [holding]:

13 (1) Holding a valid Class 2, 3 or 4 license who meets
14 the requirements of Federal regulations. If permitted by
15 Federal regulation, the department may waive the written test
16 requirement for a commercial driver's license applicant
17 holding a valid Class 2, 3 or 4 license.

18 (2) Who, subject to the limitations and requirements of
19 49 CFR 383.77 (relating to substitute for driving skills
20 tests), meets all certifications required for waiver under 49
21 CFR 383.77 and who certifies all of the following:

22 (i) That the applicant is a member of the active or
23 reserve components of any branch or unit of the armed
24 forces of the United States or a veteran who received an
25 honorable discharge from any branch or unit of the active
26 or reserve components of the armed forces of the United
27 States.

28 (ii) That the applicant is or was regularly employed
29 in a position in the armed forces of the United States
30 requiring operation of a commercial motor vehicle.

1 (iii) That the applicant has legally operated, for
2 at least two years immediately preceding application for
3 a commercial driver's license, a vehicle representative
4 of the commercial motor vehicle the driver applicant
5 operates or expects to operate, either under the
6 exemption from this Commonwealth's commercial driver's
7 license requirement provided by section 1606(b)(2)
8 (relating to requirement for commercial driver's license)
9 or the equivalent exemption of another state or while on
10 active duty in a foreign jurisdiction.

11 * * *

12 SECTION 7. SECTION 1611(A)(6), (B) AND (C) OF TITLE 75 ARE ←
13 AMENDED AND THE SECTION IS AMENDED BY ADDING SUBSECTIONS TO
14 READ:

15 § 1611. DISQUALIFICATION.

16 (A) [DISQUALIFICATION FOR FIRST] FIRST VIOLATION OF CERTAIN
17 OFFENSES.--UPON RECEIPT OF A REPORT OF CONVICTION, THE
18 DEPARTMENT SHALL, IN ADDITION TO ANY OTHER PENALTIES IMPOSED
19 UNDER THIS TITLE, DISQUALIFY ANY PERSON FROM DRIVING A
20 COMMERCIAL MOTOR VEHICLE OR SCHOOL VEHICLE FOR A PERIOD OF ONE
21 YEAR FOR THE FIRST VIOLATION OF:

22 * * *

23 (6) SECTION 1606(C) (RELATING TO REQUIREMENT FOR
24 COMMERCIAL DRIVER'S LICENSE)[, WHILE THEIR DRIVING PRIVILEGE
25 IS SUSPENDED, REVOKED, CANCELED OR RECALLED OR WHILE SUBJECT
26 TO DISQUALIFICATION OR IN VIOLATION OF AN OUT-OF-SERVICE
27 ORDER]; OR

28 * * *

29 (B) [DISQUALIFICATION FOR OFFENSE WHILE CARRYING HAZARDOUS
30 MATERIALS.--THE] OFFENSES INVOLVING HAZARDOUS MATERIALS OR A

1 BUS.--EXCEPT AS SET FORTH IN SUBSECTION (B.1), THE DEPARTMENT
2 SHALL DISQUALIFY ANY PERSON FROM DRIVING A COMMERCIAL MOTOR
3 VEHICLE FOR THREE YEARS IF ANY OF THE FIRST OFFENSES IN
4 SUBSECTION (A) OR FIRST REFUSAL IN SECTION 1613 (RELATING TO
5 IMPLIED CONSENT REQUIREMENTS FOR COMMERCIAL MOTOR VEHICLE
6 DRIVERS) OCCURRED EITHER WHILE TRANSPORTING A HAZARDOUS MATERIAL
7 REQUIRED TO BE PLACARDED[.] OR WHILE OPERATING A VEHICLE
8 DESIGNED TO TRANSPORT 16 OR MORE PASSENGERS, INCLUDING THE
9 DRIVER.

10 (B.1) OFFENSES INVOLVING OUT-OF-SERVICE ORDERS AND A BUS OR
11 HAZARDOUS MATERIALS.--THE DEPARTMENT SHALL DISQUALIFY ANY PERSON
12 FOR TWO YEARS FOR A FIRST VIOLATION OF OPERATING A COMMERCIAL
13 MOTOR VEHICLE WHILE THE DRIVER OR VEHICLE IS SUBJECT TO AN OUT-
14 OF-SERVICE ORDER IF THE VIOLATION OCCURRED EITHER WHILE
15 TRANSPORTING A HAZARDOUS MATERIAL REQUIRED TO BE PLACARDED, OR
16 WHILE OPERATING A VEHICLE DESIGNED TO TRANSPORT 16 OR MORE
17 PASSENGERS, INCLUDING THE DRIVER.

18 (C) [DISQUALIFICATION FOR TWO VIOLATIONS OF CERTAIN
19 OFFENSES.--THE] TWO VIOLATIONS OF CERTAIN OFFENSES.--EXCEPT AS
20 SET FORTH IN SUBSECTION (C.1), THE DEPARTMENT SHALL DISQUALIFY
21 FOR LIFE ANY PERSON CONVICTED OF TWO OR MORE VIOLATIONS OF ANY
22 OF THE OFFENSES SPECIFIED IN SUBSECTION (A), OR THE SUBJECT OF
23 TWO OR MORE REPORTS OF TEST REFUSAL AS SPECIFIED IN SECTION
24 1613, OR ANY COMBINATION OF THOSE OFFENSES AND/OR REFUSALS,
25 ARISING FROM TWO OR MORE SEPARATE AND DISTINCT INCIDENTS. ONLY
26 OFFENSES COMMITTED AFTER THE EFFECTIVE DATE OF THIS CHAPTER MAY
27 BE CONSIDERED IN APPLYING THIS SUBSECTION.

28 (C.1) SUBSEQUENT VIOLATIONS OF OUT-OF-SERVICE ORDERS.--THE
29 DEPARTMENT SHALL DISQUALIFY ANY PERSON FROM DRIVING A COMMERCIAL
30 MOTOR VEHICLE FOR THREE YEARS FOR A SECOND OR SUBSEQUENT

1 VIOLATION IN A TEN-YEAR PERIOD OF DRIVING WHILE SUBJECT TO AN
2 OUT-OF-SERVICE ORDER AND FOR A PERIOD OF FIVE YEARS IF THE
3 OFFENSE OCCURRED EITHER WHILE TRANSPORTING A HAZARDOUS MATERIAL
4 REQUIRED TO BE PLACARDED, OR WHILE OPERATING A VEHICLE DESIGNED
5 TO TRANSPORT 16 OR MORE PASSENGERS, INCLUDING THE DRIVER.

6 * * *

7 (N) CONSECUTIVE APPLICATION.--ALL DISQUALIFICATIONS SHALL BE
8 IMPOSED CONSECUTIVELY.

9 SECTION 4 8. SECTION 1902 OF TITLE 75 IS AMENDED BY ADDING A <—
10 PARAGRAPH TO READ:

11 § 1902. EXEMPTIONS FROM OTHER FEES.

12 NO FEE SHALL BE CHARGED UNDER THIS TITLE FOR OR TO ANY OF THE
13 FOLLOWING:

14 * * *

15 (10) THE REISSUANCE OF A REGISTRATION PLATE, WHERE THE
16 REGISTRATION PLATE HAS BEEN DETERMINED BY AN AUTHORIZED
17 REPRESENTATIVE OF THE DEPARTMENT OR LAW ENFORCEMENT TO BE
18 ILLEGIBLE FROM A REASONABLE DISTANCE.

19 ~~SECTION 5. SECTIONS 3368(B) AND (D), 4704(G) AND 6103(C) OF~~ <—
20 SECTION 9. SECTIONS 3368(B) AND (D) AND 4704(G) OF TITLE 75 ARE <—
21 AMENDED TO READ:

22 § 3368. SPEED TIMING DEVICES.

23 * * *

24 (B) TESTING OF SPEEDOMETERS.--THE DEPARTMENT MAY APPOINT
25 STATIONS FOR TESTING SPEEDOMETERS AND MAY PRESCRIBE REGULATIONS
26 AS TO THE MANNER IN WHICH THE TEST SHALL BE MADE. SPEEDOMETERS
27 SHALL HAVE BEEN TESTED FOR ACCURACY WITHIN A PERIOD OF [60 DAYS]
28 ONE YEAR PRIOR TO THE ALLEGED VIOLATION AND IMMEDIATELY UPON
29 CHANGE OF TIRE SIZE. A CERTIFICATE FROM THE STATION SHOWING THAT
30 THE TEST WAS MADE, THE DATE OF THE TEST AND THE DEGREE OF

1 ACCURACY OF THE SPEEDOMETER SHALL BE COMPETENT AND PRIMA FACIE
2 EVIDENCE OF THOSE FACTS IN EVERY PROCEEDING IN WHICH A VIOLATION
3 OF THIS TITLE IS CHARGED.

4 * * *

5 (D) CLASSIFICATION, APPROVAL AND TESTING OF MECHANICAL,
6 ELECTRICAL AND ELECTRONIC DEVICES.--THE DEPARTMENT MAY, BY
7 REGULATION, CLASSIFY SPECIFIC DEVICES AS BEING MECHANICAL,
8 ELECTRICAL OR ELECTRONIC. ALL MECHANICAL, ELECTRICAL OR
9 ELECTRONIC DEVICES SHALL BE OF A TYPE APPROVED BY THE
10 DEPARTMENT, WHICH SHALL APPOINT STATIONS FOR CALIBRATING AND
11 TESTING THE DEVICES AND MAY PRESCRIBE REGULATIONS AS TO THE
12 MANNER IN WHICH CALIBRATIONS AND TESTS SHALL BE MADE. THE
13 CERTIFICATION AND CALIBRATION OF ELECTRONIC DEVICES UNDER
14 SUBSECTION (C)(3) SHALL ALSO INCLUDE THE CERTIFICATION AND
15 CALIBRATION OF ALL EQUIPMENT, TIMING STRIPS AND OTHER DEVICES
16 WHICH ARE ACTUALLY USED WITH THE PARTICULAR ELECTRONIC DEVICE
17 BEING CERTIFIED AND CALIBRATED. [THE] ELECTRONIC DEVICES
18 COMMONLY REFERRED TO AS ELECTRONIC SPEED METERS OR RADAR SHALL
19 HAVE BEEN TESTED FOR ACCURACY WITHIN A PERIOD OF ONE YEAR PRIOR
20 TO THE ALLEGED VIOLATION. OTHER DEVICES SHALL HAVE BEEN TESTED
21 FOR ACCURACY WITHIN A PERIOD OF 60 DAYS PRIOR TO THE ALLEGED
22 VIOLATION. A CERTIFICATE FROM THE STATION SHOWING THAT THE
23 CALIBRATION AND TEST WERE MADE WITHIN THE REQUIRED PERIOD[,] AND
24 THAT THE DEVICE WAS ACCURATE[,] SHALL BE COMPETENT AND PRIMA
25 FACIE EVIDENCE OF THOSE FACTS IN EVERY PROCEEDING IN WHICH A
26 VIOLATION OF THIS TITLE IS CHARGED.

27 * * *

28 § 4704. INSPECTION BY POLICE OR COMMONWEALTH PERSONNEL.

29 * * *

30 [(G) LIMITATIONS.--FARM TRUCKS NOT REQUIRED TO BE

1 REGISTERED, IMPLEMENTS OF HUSBANDRY, SPECIAL MOBILE EQUIPMENT
2 AND TRUCKS AND TRUCK TRACTORS REGISTERED IN CLASS 4A OR LOWER
3 SHALL NOT BE SUBJECT TO THE SYSTEMATIC VEHICLE INSPECTIONS
4 AUTHORIZED UNDER SUBSECTION (A).]

5 * * *

6 SECTION 9.1. SECTIONS 4903 AND 4922 OF TITLE 75 ARE AMENDED <—
7 BY ADDING SUBSECTIONS TO READ:

8 § 4903. SECURING LOADS IN VEHICLES.

9 * * *

10 (C.3) LOAD OF EQUIPMENT WITH HYDRAULICALLY OPERATED BOOM
11 ARM.--THE BOOM ARM OF EQUIPMENT WITH A HYDRAULICALLY OPERATED
12 BOOM ARM BEING TRANSPORTED THROUGH OR WITHIN THIS COMMONWEALTH
13 SHALL BE SECURELY FASTENED TO THE VEHICLE WITH STEEL RESTRAINING
14 DEVICES TO PREVENT ITS MOVEMENT OR SHIFTING DURING TRANSIT.

15 * * *

16 § 4922. HEIGHT OF VEHICLES.

17 * * *

18 (D) PENALTY.--ANY PERSON CONVICTED OF OPERATING A VEHICLE
19 WITH A HEIGHT GREATER THAN 13 FEET 6 INCHES AND TRAVELING
20 WITHOUT A VALID PERMIT SHALL, UPON CONVICTION, PAY A FINE OF
21 \$500.

22 SECTION 9.2. SECTIONS 4968(A)(3.7) AND 6103(C) OF TITLE 75
23 ARE AMENDED TO READ:

24 § 4968. PERMIT FOR MOVEMENT DURING COURSE OF MANUFACTURE.

25 (A) ANNUAL PERMIT.--AN ANNUAL PERMIT MAY BE ISSUED
26 AUTHORIZING MOVEMENT ON SPECIFIED HIGHWAYS OF BOATS, TRAILERS,
27 MOBILE HOMES, MODULAR HOUSING UNITS AND UNDERCARRIAGES,
28 HELICOPTERS, HOT INGOTS, A HOT BOX, BASIC OXYGEN FURNACE LANCES,
29 RAILWAY EQUIPMENT AND RAILS OR OTHER ARTICLES, VEHICLES OR
30 COMBINATIONS WHICH EXCEED THE MAXIMUM HEIGHT, WIDTH OR LENGTH

1 SPECIFIED IN SUBCHAPTER B (RELATING TO WIDTH, HEIGHT AND LENGTH)
2 OR SELF-PROPELLED CRANES OR COMBINATIONS CARRYING RAW MILK, RAW
3 COAL, FLAT-ROLLED STEEL COILS, STEEL SLABS, HOT INGOTS, A HOT
4 BOX, PULPWOOD AND WOOD CHIPS [FOR PAPER MANUFACTURE] OR RAW
5 WATER WHICH EXCEED THE MAXIMUM WEIGHT SPECIFIED IN SUBCHAPTER C
6 (RELATING TO MAXIMUM WEIGHTS OF VEHICLES) WHILE THEY ARE IN THE
7 COURSE OF MANUFACTURE AND UNDER CONTRACT WITH OR UNDER THE
8 DIRECT CONTROL OF THE MANUFACTURER, SUBJECT TO THE FOLLOWING
9 PROVISIONS:

10 * * *

11 (3.7) A COMBINATION OF VEHICLES WHICH IS HAULING
12 PULPWOOD OR WOOD CHIPS FROM A SPECIFIED SOURCE TO A [PAPER
13 MANUFACTURING SITE] PULP MILL MAY BE PERMITTED BY THE
14 DEPARTMENT AND LOCAL AUTHORITIES TO MOVE UPON SPECIFIED
15 HIGHWAYS WITHIN THEIR RESPECTIVE JURISDICTIONS SUBJECT TO THE
16 FOLLOWING CONDITIONS:

17 (I) THE VEHICLE MUST BE A FIVE AXLE COMBINATION -
18 THREE AXLE TRUCK TRACTOR MEETING THE FOLLOWING
19 CHARACTERISTICS:

20 (A) GROSS VEHICULAR WEIGHT MUST NOT EXCEED
21 95,000 POUNDS.

22 (B) MAXIMUM WEIGHT ON STEERING AXLES SHALL BE
23 11,000 POUNDS.

24 (C) MAXIMUM WEIGHT ON THE TRUCK-TRAILER TANDEM
25 (AXLES TWO AND THREE) SHALL BE 42,000 POUNDS, WITH A
26 MAXIMUM OF 21,000 POUNDS ON EITHER AXLE IN THE GROUP.

27 (D) MAXIMUM WEIGHT ON THE SEMITRAILER TRIDEM
28 (AXLES FOUR AND FIVE) SHALL BE 42,000 POUNDS, WITH A
29 MAXIMUM OF 21,000 POUNDS ON ANY AXLE IN THE GROUP.

30 (E) MINIMUM SPACING BETWEEN AXLE ONE AND AXLE

1 TWO SHALL BE 12 FEET 6 INCHES.

2 (F) THE CENTER-TO-CENTER DISTANCE BETWEEN THE
3 LAST DRIVE AXLE OF THE TRUCK TRACTOR (AXLE THREE) AND
4 THE FIRST AXLE OF THE SEMITRAILER (AXLE FOUR) MUST BE
5 A MINIMUM OF 28 FEET 0 INCH.

6 (G) MINIMUM SPACING BETWEEN TANDEM AND TRIDEM
7 AXLES SHALL BE 4 FEET 0 INCH.

8 (II) THE VEHICLE MUST BE A SIX AXLE COMBINATION -
9 THREE AXLE TRUCK TRACTOR MEETING THE FOLLOWING
10 CHARACTERISTICS:

11 (A) GROSS VEHICULAR WEIGHT MUST NOT EXCEED
12 107,000 POUNDS.

13 (B) MAXIMUM WEIGHT ON STEERING AXLES SHALL BE
14 12,000 POUNDS.

15 (C) MAXIMUM WEIGHT ON THE TRUCK-TRACTOR TANDEM
16 (AXLES TWO AND THREE) SHALL BE 42,000 POUNDS, WITH A
17 MAXIMUM OF 21,000 POUNDS ON EITHER AXLE IN THE GROUP.

18 (D) MAXIMUM WEIGHT ON THE SEMITRAILER TRIDEM
19 (AXLES FOUR, FIVE AND SIX) SHALL BE 53,000 POUNDS,
20 WITH A MAXIMUM OF 17,670 POUNDS ON ANY AXLE IN THE
21 GROUP.

22 (E) MINIMUM SPACING BETWEEN AXLE ONE AND AXLE
23 TWO SHALL BE 12 FEET 6 INCHES.

24 (F) THE CENTER-TO-CENTER DISTANCE BETWEEN THE
25 LAST DRIVE AXLE OF THE TRUCK TRACTOR (AXLE THREE) AND
26 THE FIRST AXLE OF THE SEMITRAILER (AXLE FOUR) MUST BE
27 A MINIMUM OF 45 FEET 0 INCH.

28 (G) MINIMUM SPACING BETWEEN TANDEM AND TRIDEM
29 AXLES SHALL BE 4 FEET 0 INCH.

30 NO PERMIT MAY BE ISSUED FOR THIS TYPE OF MOVEMENT UPON AN

1 INTERSTATE HIGHWAY.

2 * * *

3 § 6103. PROMULGATION OF RULES AND REGULATIONS BY DEPARTMENT.

4 * * *

5 (C) ADOPTION OF FEDERAL STATUTE, REGULATION, STANDARD OR
6 CRITERIA.--THE DEPARTMENT SHALL BE AUTHORIZED TO ADOPT BY
7 REFERENCE ANY FEDERAL STATUTE, REGULATION, STANDARD OR CRITERIA
8 OR PROVISION THEREOF RELATING TO VEHICLES OR DRIVERS, INCLUDING,
9 BUT NOT LIMITED TO, MINIMUM DRIVER QUALIFICATIONS, MAXIMUM HOURS
10 OF SERVICE, LOADING, UNLOADING, HAZARDOUS MATERIALS, OPERATION,
11 EQUIPMENT, RECORDS AND INSPECTION.

12 (1) THE DEPARTMENT SHALL BE AUTHORIZED TO EXTEND THE
13 COVERAGE OF ANY FEDERAL STATUTE, REGULATION, STANDARD OR
14 CRITERIA ADOPTED UNDER THIS SUBSECTION TO VEHICLES AND
15 DRIVERS OPERATING ONLY IN INTRASTATE COMMERCE, EXCEPT AS
16 FOLLOWS:

17 [(I) NO FEDERAL STATUTE, REGULATION, STANDARD OR
18 CRITERIA SHALL BE EXTENDED TO COVER FARM TRUCKS NOT
19 REQUIRED TO BE REGISTERED, SPECIAL MOBILE EQUIPMENT OR
20 IMPLEMENTS OF HUSBANDRY.]

21 (II) NO FEDERAL STATUTE, REGULATION, STANDARD OR
22 CRITERIA PERTAINING TO DRIVERS, INCLUDING, BUT NOT
23 LIMITED TO, MINIMUM DRIVER QUALIFICATIONS, MAXIMUM HOURS
24 OF SERVICE OR DRIVER RECORDS, SHALL BE EXTENDED TO COVER
25 FARM TRUCKS, EXCEPT FARM TRUCKS CARRYING HAZARDOUS
26 MATERIALS IN AN AMOUNT AND TYPE WHICH REQUIRE THE VEHICLE
27 TO BE PLACARDED UNDER CHAPTER 83 (RELATING TO HAZARDOUS
28 MATERIALS TRANSPORTATION).

29 (2) THE REGULATIONS PROMULGATED BY THE DEPARTMENT UNDER
30 PARAGRAPH (1) MAY BE MODIFIED, BUT SHALL, TO THE MAXIMUM

1 EXTENT POSSIBLE, BE CONSISTENT WITH SAFETY AND CORRESPOND TO
2 FEDERAL REGULATIONS, STANDARDS OR CRITERIA.

3 * * *

4 SECTION 6 10. THE DEFINITION OF "ALL-TERRAIN VEHICLE" OR <—
5 "ATV" IN SECTION 7702 OF TITLE 75 IS AMENDED TO READ:
6 § 7702. DEFINITIONS.

7 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
8 SHALL HAVE, UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE, THE
9 MEANINGS GIVEN TO THEM IN THIS SECTION:

10 "ALL-TERRAIN VEHICLE" OR "ATV." A MOTORIZED OFF-HIGHWAY
11 VEHICLE WHICH TRAVELS ON THREE OR MORE INFLATABLE TIRES AND
12 WHICH HAS:

13 (1) A MAXIMUM WIDTH OF 50 INCHES AND A MAXIMUM DRY
14 WEIGHT OF [800] 1,000 POUNDS; OR

15 (2) A WIDTH WHICH EXCEEDS 50 INCHES OR A DRY WEIGHT
16 WHICH EXCEEDS [800] 1,000 POUNDS.

17 ATV'S DESCRIBED IN PARAGRAPH (1) MAY BE REFERRED TO AS CLASS I
18 ATV'S, AND ATV'S DESCRIBED IN PARAGRAPH (2) MAY BE REFERRED TO
19 AS CLASS II ATV'S. THIS TERM DOES NOT INCLUDE SNOWMOBILES, TRAIL
20 BIKES, MOTORBOATS, GOLF CARTS, AIRCRAFT, DUNE BUGGIES,
21 AUTOMOBILES, CONSTRUCTION MACHINES, TRUCKS OR HOME UTILITY
22 MACHINES; MILITARY, FIRE, EMERGENCY AND LAW ENFORCEMENT
23 VEHICLES; IMPLEMENTS OF HUSBANDRY; MULTIPURPOSE AGRICULTURAL
24 VEHICLES; VEHICLES USED BY THE DEPARTMENT; OR ANY VEHICLE THAT
25 IS OR IS REQUIRED TO BE REGISTERED UNDER CHAPTER 13 (RELATING TO
26 REGISTRATION OF VEHICLES). IN ADDITION, THIS TERM DOES NOT
27 INCLUDE OFF-ROAD MOTOR VEHICLES USED EXCLUSIVELY AS UTILITY
28 VEHICLES FOR AGRICULTURAL OR BUSINESS OPERATIONS AND
29 INCIDENTALLY OPERATED OR MOVED UPON THE HIGHWAY.

30 * * *

1 Section ~~2-7~~ 11. This act shall take effect in 60 days.

<—