

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 796 Session of 2017

INTRODUCED BY GORDNER, EICHELBERGER, RAFFERTY, MENSCH, AUMENT, WAGNER AND STEFANO, JUNE 22, 2017

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, OCTOBER 16, 2018

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, IN GENERAL PROVISIONS, FURTHER PROVIDING FOR <--
3 DEFINITIONS; IN CERTIFICATE OF TITLE AND SECURITY INTERESTS, <--
4 FURTHER PROVIDING FOR TRANSFER OF OWNERSHIP OF VEHICLES USED
5 FOR HUMAN HABITATION; in fees, further providing for
6 exemptions from other fees. AND PROVIDING FOR RECREATIONAL <--
7 TRAILERS AND RECREATIONAL CARGO TRAILERS AND FOR SPECIAL
8 PROCEDURES FOR TRAILER REGISTRATION; AND, IN SIZE, WEIGHT AND
9 LOAD, FURTHER PROVIDING FOR RESTRICTIONS ON USE OF HIGHWAYS
10 AND BRIDGES AND FOR REGISTERED GROSS WEIGHT.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 1902(8) of Title 75 of the Pennsylvania <--
14 Consolidated Statutes is amended and the section is amended by
15 adding a paragraph to read:

16 SECTION 1. THE DEFINITION OF "RECREATIONAL TRAILER" IN <--
17 SECTION 102 OF TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED
18 STATUTES IS AMENDED AND THE SECTION IS AMENDED BY ADDING A
19 DEFINITION TO READ:

20 § 102. DEFINITIONS.

21 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT

1 PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC  
2 PROVISIONS OF THIS TITLE, THE FOLLOWING WORDS AND PHRASES WHEN  
3 USED IN THIS TITLE SHALL HAVE, UNLESS THE CONTEXT CLEARLY  
4 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

5 \* \* \*

6 "RECREATIONAL CARGO TRAILER." A TRAILER DESIGNED OR ADAPTED  
7 FOR THE PURPOSES OF TRANSPORTING ANIMALS OR VEHICLES FOR  
8 NONCOMMERCIAL RECREATIONAL USE, SUCH AS A HORSE TRAILER,  
9 WATERCRAFT TRAILER OR ALL-TERRAIN TRAILER.

10 "RECREATIONAL TRAILER." A TRAILER DESIGNED OR ADAPTED [AND  
11 USED EXCLUSIVELY FOR RECREATIONAL PURPOSES.] TO PROVIDE  
12 TEMPORARY LIVING QUARTERS FOR NONCOMMERCIAL RECREATIONAL,  
13 CAMPING OR TRAVEL USE.

14 \* \* \*

15 ~~SECTION 2. SECTION 1111.1(A) OF TITLE 75 IS AMENDED TO READ: <--~~  
16 ~~§ 1111.1. TRANSFER OF OWNERSHIP OF VEHICLES USED FOR HUMAN~~  
17 ~~HABITATION.~~

18 ~~(A) TAX STATUS CERTIFICATION. IF A MOBILE HOME OR~~  
19 ~~MANUFACTURED HOME THAT HAS BEEN ANCHORED TO THE GROUND TO~~  
20 ~~FACILITATE CONNECTIONS WITH ELECTRICITY, WATER AND SEWERAGE, AND~~  
21 ~~PREVIOUSLY TITLED IN THIS COMMONWEALTH TO A PERSON USING THE~~  
22 ~~MOBILE HOME OR MANUFACTURED HOME AS A RESIDENCE IN THIS~~  
23 ~~COMMONWEALTH IMMEDIATELY PRECEDING ITS SALE OR TRANSFER, IS~~  
24 ~~OFFERED FOR SALE OR TRANSFER, THE TRANSFEROR SHALL OBTAIN A TAX~~  
25 ~~STATUS CERTIFICATION FROM THE TAX CLAIM BUREAU OF THE COUNTY IN~~  
26 ~~WHICH THE MOBILE HOME OR MANUFACTURED HOME IS SITUATED SHOWING~~  
27 ~~THE COUNTY, MUNICIPAL AND SCHOOL DISTRICT REAL ESTATE TAXES DUE~~  
28 ~~ON THE MOBILE HOME OR MANUFACTURED HOME, AS SHOWN BY THE~~  
29 ~~BUREAU'S RECORDS AS OF THE DATE OF THE CERTIFICATION, INCLUDING~~  
30 ~~ANY DELINQUENT TAXES TURNED OVER TO A THIRD PARTY FOR~~

1 ~~COLLECTION. THE TAX STATUS CERTIFICATION SHALL BE PROVIDED TO~~  
2 ~~THE TRANSFEREE AND THE DEPARTMENT IN CONJUNCTION WITH THE~~  
3 ~~TRANSFER OF THE MOBILE HOME OR MANUFACTURED HOME AND SHALL~~  
4 ~~INCLUDE THE FOLLOWING:~~

5 ~~(1) THE PARCEL NUMBER ASSIGNED TO THE VEHICLE.~~

6 ~~(2) THE AMOUNT OF CURRENT OR DELINQUENT TAXES OWED FROM~~  
7 ~~THE PARCEL NUMBER.~~

8 ~~(3) THE DATE UPON WHICH A TAX FOR THE PARCEL NUMBER WILL~~  
9 ~~ACCRUE AND THE TAXING PERIOD THAT THE TAX WILL COVER.~~

10 ~~(4) THE ADDRESSES AND TELEPHONE NUMBERS OF THE TAX~~  
11 ~~COLLECTION AUTHORITY AND TAX CLAIM BUREAU OR EQUIVALENT~~  
12 ~~OFFICE.~~

13 \* \* \*

14 SECTION 3 2. SECTION 1902(8) OF TITLE 75 IS AMENDED AND THE <--  
15 SECTION IS AMENDED BY ADDING PARAGRAPHS TO READ:

16 § 1902. Exemptions from other fees.

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

19 \* \* \*

20 (8) Volunteer emergency service personnel who require a  
21 certified driving record for certification under [the act of  
22 July 3, 1985 (P.L.164, No.45), known as the Emergency Medical  
23 Services Act] 35 Pa.C.S. Ch. 81 (relating to emergency  
24 medical services system).

25 \* \* \*

26 (11) Notwithstanding section 1617 (relating to fees),  
27 the change of address on a commercial driver's license,  
28 including a commercial driver's license with a motorcycle  
29 endorsement, if an individual's current address has been  
30 changed by a government entity.

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

2 (12) A DUPLICATE REGISTRATION CARD ORDERED AT THE TIME <--  
3 OF AN ONLINE TRANSACTION WHERE THE APPLICANT PRINTS THE  
4 REGISTRATION CREDENTIAL. THIS PARAGRAPH DOES NOT APPLY TO  
5 DUPLICATE REGISTRATION CARDS PROCESSED BY THE DEPARTMENT OR  
6 AN AGENT SERVICE OF THE DEPARTMENT IN AN OVER-THE-COUNTER  
7 TRANSACTION OR BY MAIL.

8 SECTION 4 3. TITLE 75 IS AMENDED BY ADDING SECTIONS TO READ: <--

9 § 1920.1. RECREATIONAL TRAILERS AND RECREATIONAL CARGO  
10 TRAILERS.

11 (A) GENERAL RULE.--THE ANNUAL FEE FOR REGISTRATION OF A  
12 RECREATIONAL TRAILER OR RECREATIONAL CARGO TRAILER SHALL BE  
13 DETERMINED BY ITS REGISTERED GROSS WEIGHT ACCORDING TO THE  
14 FOLLOWING TABLE:

<u>REGISTERED GROSS</u>	<u>FEE</u>
<u>WEIGHT IN POUNDS</u>	
<u>8,000 OR LESS</u>	<u>\$12</u>
<u>8,001 - 13,000</u>	<u>35</u>
<u>13,001 OR MORE</u>	<u>90</u>

20 (B) OPTIONAL FIVE-YEAR REGISTRATION.--A RECREATIONAL TRAILER  
21 OR RECREATIONAL CARGO TRAILER WITH A REGISTERED GROSS WEIGHT OF  
22 13,000 POUNDS OR LESS MAY BE REGISTERED FOR A PERIOD OF FIVE  
23 YEARS UPON PAYMENT BY THE REGISTRANT OF THE APPLICABLE FEE FOR  
24 SUCH PERIOD.

25 (C) OPTIONAL PERMANENT REGISTRATION.--THE FOLLOWING APPLY:

26 (1) A RECREATIONAL TRAILER OR RECREATIONAL CARGO TRAILER  
27 WITH A REGISTERED GROSS WEIGHT OF 13,001 OR MORE POUNDS MAY  
28 BE REGISTERED FOR A ONE-TIME FEE OF \$425 IN LIEU OF THE  
29 ANNUAL FEE AT THE OPTION OF THE REGISTRANT.

30 (2) A PERMANENT REGISTRATION OF A RECREATIONAL TRAILER

1 OR RECREATIONAL CARGO TRAILER UNDER THIS SECTION MAY BE  
2 TRANSFERRED TO ANOTHER RECREATIONAL TRAILER OR RECREATIONAL  
3 CARGO TRAILER ONE TIME UPON PAYMENT OF THE FEE UNDER SECTION  
4 1927 (RELATING TO TRANSFER OF REGISTRATION).

5 § 1920.2. SPECIAL PROCEDURES FOR TRAILER REGISTRATION.

6 (A) GENERAL RULE.--APPLICATION FOR CERTIFICATE OF TITLE AND  
7 THE REGISTRATION OF A TRAILER, INCLUDING A RECREATIONAL TRAILER  
8 OR RECREATIONAL CARGO TRAILER, SHALL BE MADE UPON AN APPROPRIATE  
9 FORM FURNISHED BY THE DEPARTMENT. DEPARTMENT INFORMATION SHALL  
10 CONTAIN THE DEFINITIONS OF RECREATIONAL TRAILER AND RECREATIONAL  
11 CARGO TRAILER AS SET FORTH UNDER SECTION 102 (RELATING TO  
12 DEFINITIONS).

13 (B) PENALTY.--AN APPLICANT WHO FALSELY CERTIFIES THAT A  
14 TRAILER IS A RECREATIONAL TRAILER OR RECREATIONAL CARGO TRAILER  
15 ON AN APPLICATION FOR A TRAILER REGISTRATION IS SUBJECT TO THE  
16 PENALTY UNDER 18 PA.C.S. § 4904(B) (RELATING TO UNSWORN  
17 FALSIFICATION TO AUTHORITIES).

18 SECTION 5 4. SECTIONS 4902(A) (4) AND (5) AND 4942(C) OF <--  
19 TITLE 75 ARE AMENDED TO READ:

20 § 4902. RESTRICTIONS ON USE OF HIGHWAYS AND BRIDGES.

21 (A) RESTRICTIONS BASED ON CONDITION OF HIGHWAY OR BRIDGE.--

22 \* \* \*

23 (4) THE METHODOLOGY UNDER PARAGRAPH (3) MAY ALLOW FOR  
24 EXEMPTIONS FROM 67 PA. CODE CH. 189 (RELATING TO HAULING IN  
25 EXCESS OF POSTED WEIGHT LIMIT) RELATED TO THE AT-RISK  
26 INDUSTRY [SECTORS] OF LOGGING OR OTHER FOREST PRODUCTS  
27 EXPERIENCING A 20% DECLINE IN STATEWIDE EMPLOYMENT BETWEEN  
28 MARCH 2002 AND MARCH 2011, AS DETERMINED BY THE DEPARTMENT OF  
29 LABOR AND INDUSTRY.

30 (5) THE EXEMPTIONS AND RELATED REQUIREMENTS UNDER

1 PARAGRAPH (4) MAY REMAIN IN EXISTENCE ONLY UNTIL DECEMBER 31,  
2 [2018] 2023. EXEMPTIONS FOR LOCAL DELIVERY OR PICKUP MAY NOT  
3 INCLUDE TRAFFIC GOING TO OR COMING FROM A SITE AT WHICH  
4 MINERALS, NATURAL GAS OR NATURAL RESOURCES ARE DEVELOPED,  
5 HARVESTED OR EXTRACTED, NOTWITHSTANDING WHETHER THE SITE IS  
6 LOCATED AT A RESIDENCE, A COMMERCIAL SITE OR ON FARMLAND.  
7 DELIVERY OR PICKUP OF LOGS OR OTHER FOREST PRODUCTS TO OR  
8 FROM PERMANENT PROCESSING MILLS LOCATED ON OR REACHABLE ONLY  
9 THROUGH POSTED HIGHWAYS SHALL BE CONSIDERED LOCAL DELIVERY OR  
10 PICKUP. DELIVERY OR PICKUP OF COAL TO OR FROM PERMANENT COAL  
11 REPROCESSING OR PREPARATION PLANTS LOCATED ON OR REACHABLE  
12 ONLY THROUGH POSTED HIGHWAYS AND NOT ON THE SAME POSTED  
13 HIGHWAY AS A SITE AT WHICH COAL IS EXTRACTED SHALL BE  
14 CONSIDERED LOCAL DELIVERY OR PICKUP.

15 \* \* \*

16 § 4942. REGISTERED GROSS WEIGHT.

17 \* \* \*

18 (C) COMBINATION.--NO COMBINATION CONTAINING A TRAILER HAVING  
19 A GROSS WEIGHT OR REGISTERED GROSS WEIGHT IN EXCESS OF 10,000  
20 POUNDS SHALL BE OPERATED WITH A GROSS WEIGHT IN EXCESS OF THE  
21 REGISTERED GROSS WEIGHT OF THE TRUCK OR TRUCK TRACTOR FOR A  
22 COMBINATION. THIS SUBSECTION SHALL NOT APPLY TO A COMBINATION OF  
23 VEHICLES CONSISTING OF A MOTOR VEHICLE TOWING A RECREATIONAL  
24 TRAILER OR RECREATIONAL CARGO TRAILER, REGISTERED AS SUCH, AS  
25 LONG AS THE COMBINATION WEIGHT DOES NOT EXCEED THE SUM OF THE <--  
26 MANUFACTURER'S RATED AXLE CAPACITIES OR THE GROSS COMBINATION  
27 WEIGHT RATING, WHICHEVER IS LESS. <--

28 SECTION 6 5. THIS ACT SHALL TAKE EFFECT AS FOLLOWS: <--

29 (1) THE AMENDMENT ~~OR ADDITION~~ OF 75 PA.C.S. §§ <--

30 ~~1111.1(A), 1902(8) AND (12)~~ 1902(8) AND 4902(A)(4) AND (5) <--

1 SHALL TAKE EFFECT IN 60 DAYS.

2 (2) THE ADDITION OF 75 PA.C.S. § 1902(11) SHALL TAKE  
3 EFFECT IN 90 DAYS.

4 (3) THE ADDITION OF 75 PA.C.S. §§ 1902(12), 1920.1 AND <--  
5 1920.2 SHALL TAKE EFFECT IN ONE YEAR.

6 ~~(3)~~ (4) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY. <--

7 ~~(4)~~ (5) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN <--  
8 180 DAYS.