

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 915 Session of 2019

INTRODUCED BY CAUSER, PASHINSKI, BARRAR, BERNSTINE, BOBACK, BOROWICZ, CALTAGIRONE, DIAMOND, FREEMAN, GREGORY, HAHN, HERSHEY, HICKERNELL, JAMES, KAUFFMAN, M. K. KELLER, LAWRENCE, LONGIETTI, MASSER, METCALFE, METZGAR, MILLARD, MURT, OBERLANDER, OWLETT, PEIFER, PICKETT, RAPP, READSHAW, TOOHL, TOPPER AND ZIMMERMAN, MARCH 20, 2019

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS, MARCH 20, 2019

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in size, weight and load, further providing for
3 permit for movement during course of manufacture; and, in
4 powers of department and local authorities, further providing
5 for power of Governor during emergency.

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

8 Section 1. Sections 4968(a.2)(4) and (b) and 6108(a) of
9 Title 75 of the Pennsylvania Consolidated Statutes are amended
10 to read:

11 § 4968. Permit for movement during course of manufacture.

12 * * *

13 (a.2) Specifications.--

14 * * *

15 (4) A combination of vehicles which is hauling milk to
16 or from a [manufacturer] milk plant or to or from a dairy
17 farm, or is traveling to a dairy farm to pick up milk, may be

1 permitted by the department and local authorities to move
2 upon highways within their respective jurisdictions 24 hours
3 a day, seven days a week, [except during inclement weather as
4 defined in department regulations,] if the gross weight does
5 not exceed 95,000 pounds and the weight of any nonsteering
6 axle does not exceed 21,000 pounds. A permit may be issued
7 for this type of movement upon an interstate highway. An
8 application to the department for the movement of milk,
9 except for raw milk, shall designate the route the applicant
10 requests to use.

11 * * *

12 (b) Definitions.--As used in this section, the following
13 words and phrases shall have the meanings given to them in this
14 subsection:

15 "Bulk milk." The term shall mean milk, as defined in section
16 1 of the act of July 2, 1935 (P.L.589, No.210), referred to as
17 the Milk Sanitation Law, which is not transported in packages.

18 "Condensed milk" and "evaporated milk." The term shall mean
19 manufactured dairy products as defined in section 1 of the act
20 of July 2, 1935 (P.L.589, No.210), referred to as the Milk
21 Sanitation Law, which is not transported in packages.

22 "Dairy farm." As defined in section 1 of the act of July 2,
23 1935 (P.L.589, No.210), referred to as the Milk Sanitation Law.

24 "Hot box." Consists of an enclosure consisting of welded
25 steel plate chained to a semitrailer with a removable lid lined
26 with refraction for purposes of insulation and retention of
27 heat.

28 "Milk." The term shall mean any of the following:

29 (1) Bulk milk.

30 (2) Evaporated milk.

1 (3) Raw milk.

2 (4) Condensed milk.

3 "Milk plant." As defined in section 1 of the act of July 2,
4 1935 (P.L.589, No.210), referred to as the Milk Sanitation Law.

5 "Raw milk." [Has the meaning given to it in] As defined in
6 section 8(a) of the act of July 2, 1935 (P.L.589, No.210),
7 referred to as the Milk Sanitation Law.

8 "Sugar." The term shall refer to granulated raw, semi-
9 refined or refined sugar derived from the processing of sugar
10 cane or sugar beets, requiring further processing and not
11 intended for direct consumption or retail sale.

12 § 6108. Power of Governor during emergency.

13 (a) General rule.--[In] Except as provided under section
14 4968(a.2)(4) (relating to permit for movement during course of
15 manufacture), in the event of a declared National, State or
16 local emergency when the Governor of this Commonwealth, under 35
17 Pa.C.S. § 7301 (relating to general authority of Governor), has
18 made a specific determination that modification of any of the
19 provisions of this title will aid in the alleviation of the
20 stated emergency conditions, the Governor shall have the power
21 to so modify the provisions on any or all highways in this
22 Commonwealth to be effective at any or all hours of the day or
23 night with respect to any or all types or classes of vehicles.
24 Such modifications shall be specifically stated in a
25 proclamation or executive order as provided under 35 Pa.C.S. §
26 7301(c) and shall expire at the end of the emergency period. No
27 person, unless specifically exempted by the terms of the
28 declaration of emergency or by other provisions of the statute
29 or other laws, shall violate any of the terms, conditions,
30 provisions and modifications set forth by the Governor.

1 * * *

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