
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1788 Session of
2019

INTRODUCED BY RADER, HEFFLEY, ZIMMERMAN, BERNSTINE, MILLARD,
IRVIN, PICKETT, CALTAGIRONE, SCHLEGEL CULVER, LONGIETTI,
HERSHEY, CIRESI, FRANKEL, MOUL, DeLUCA, JOZWIAK, FREEMAN,
SCHMITT, B. MILLER, JAMES, BOBACK, JONES, KAUFER, READSHAW
AND DRISCOLL, AUGUST 30, 2019

REFERRED TO COMMITTEE ON TRANSPORTATION, AUGUST 30, 2019

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in powers of department and local authorities,
3 further providing for power of Governor during emergency.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 6108(a) of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended and the section is amended by
8 adding subsections to read:

9 § 6108. Power of Governor during emergency.

10 (a) General rule.--In the event of a declared National,
11 State or local emergency when the Governor of this Commonwealth,
12 under 35 Pa.C.S. § 7301 (relating to general authority of
13 Governor), has made a specific determination that modification
14 of any of the provisions of this title will aid in the
15 alleviation of the stated emergency conditions, the Governor
16 shall have the power to so modify the provisions on any or all
17 highways in this Commonwealth to be effective at any or all

1 hours of the day or night with respect to any or all types or
2 classes of vehicles. Such modifications shall be specifically
3 stated in an executive order or a proclamation as provided under
4 35 Pa.C.S. § 7301(c) and shall expire at the end of the
5 emergency period. No person, unless specifically exempted by the
6 terms of the declaration of emergency or by other provisions of
7 the statute or other laws, shall violate any of the terms,
8 conditions, provisions and modifications set forth by the
9 Governor.

10 (a.1) Exception.--A vehicle or combination operating on
11 behalf of a perishable medical supply dealer which is hauling
12 perishable medical supplies to or from a perishable medical
13 supply manufacturing plant may move upon a highway 24 hours a
14 day, seven days a week, if all of the following apply:

15 (1) The vehicle or combination is identified as a
16 perishable medical supply manufacturer by a decal issued by
17 the department, at a fee set by the department. The fee may
18 not exceed the costs to administer the decal.

19 (2) The gross weight does not exceed 80,000 pounds.

20 * * *

21 (c) Definitions.--As used in this section, the following
22 words and phrases shall have the meanings given to them in this
23 subsection unless the context clearly indicates otherwise:

24 "Immunization." A medical product intended to stimulate an
25 immune response to prevent disease as approved by the Food and
26 Drug Administration.

27 "Perishable medical supply." A vaccine or immunization or
28 any perishable component used in the development of a vaccine.

29 "Perishable medical supply dealer." An entity registered
30 with the Food and Drug Administration as a manufacturer of

1 perishable medical supplies.

2 "Perishable medical supply manufacturing plant." A place,
3 premise or establishment where perishable medical supplies are
4 collected or prepared in any manner within this Commonwealth for
5 sale as a medical supply certified by the Food and Drug
6 Administration.

7 "Vaccine." A medical supply for injection of a killed or
8 weakened infectious organism in order to prevent the disease
9 approved by the Food and Drug Administration.

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