

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 230

Session of
1981

INTRODUCED BY DININNI, KOLTER, PETRARCA, STEIGHNER, TIGUE,
LESCOVITZ, GEIST AND W. W. FOSTER, JANUARY 26, 1981

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 23, 1981

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for provisions prohibiting the
3 transfer of registration to evade certain financial
4 responsibility requirements, further providing for suspension
5 for nonpayment of judgments, REPEALING FINANCIAL <—
6 RESPONSIBILITY, PROVIDING FOR TOLERANCES ALLOWED FOR GROSS
7 WEIGHTS OF VEHICLES AND FURTHER PROVIDING FOR MOBILE AND
8 MANUFACTURED HOUSING.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 ~~Section 1. Sections 1704(a), 1742(a), 1746 and 1747(a) of~~ <—
12 ~~Title 75, act of November 25, 1970 (P.L.707, No.230), known as~~
13 ~~the Pennsylvania Consolidated Statutes, are amended to read:~~

14 SECTION 1. THE DEFINITION OF "MOBILE HOME" IN SECTION 102 OF <—
15 TITLE 75, ACT OF NOVEMBER 25, 1970 (P.L.707, NO.230), KNOWN AS
16 THE PENNSYLVANIA CONSOLIDATED STATUTES, IS AMENDED AND
17 DEFINITIONS ARE ADDED TO READ:

18 § 102. DEFINITIONS.

19 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT
20 PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC

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

4 * * *

5 ["MOBILE HOME." A TRAILER DESIGNED AND USED EXCLUSIVELY FOR
6 LIVING QUARTERS OR COMMERCIAL PURPOSES WHICH EXCEEDS THE MAXIMUM
7 SIZE LIMITATIONS PRESCRIBED BY THIS TITLE FOR OPERATION ON A
8 HIGHWAY AND IS ONLY INCIDENTALLY OPERATED ON A HIGHWAY,
9 INCLUDING A UNIT TRANSPORTED ON A REMOVABLE OR NONREMOVABLE
10 FRAME DESIGNED SO AS TO BE ASSEMBLED TOGETHER WITH ANOTHER UNIT
11 OR UNITS INTO A STRUCTURE WHICH IS USED EXCLUSIVELY FOR LIVING
12 QUARTERS, COMMONLY KNOWN AS A "MODULAR UNIT."]

13 "MOBILE/MANUFACTURED HOME." A STRUCTURE, TRANSPORTABLE IN
14 ONE OR MORE SECTIONS, WHICH, IN THE TRAVELING MODE, IS EIGHT
15 BODY FEET OR MORE IN WIDTH OR 40 BODY FEET OR MORE IN LENGTH,
16 OR, WHEN ERECTED ON SITE, IS 320 OR MORE SQUARE FEET, AND WHICH
17 IS BUILT ON A PERMANENT CHASSIS AND DESIGNED TO BE USED AS A
18 DWELLING WITH OR WITHOUT PERMANENT FOUNDATION WHEN CONNECTED TO
19 THE REQUIRED UTILITIES, AND INCLUDES PLUMBING, HEATING, AIR
20 CONDITIONING AND ELECTRICAL SYSTEMS CONTAINED THEREIN.

21 "MODULAR HOUSING UNIT." ANY STRUCTURE DESIGNED FOR
22 RESIDENTIAL OR COMMERCIAL OCCUPANCY WHICH IS WHOLLY OR IN
23 SUBSTANTIAL PART MADE, FABRICATED, FORMED OR ASSEMBLED IN
24 MANUFACTURING FACILITIES FOR ASSEMBLY AND INSTALLATION ON THE
25 BUILDING SITE.

26 "MODULAR HOUSING UNDERCARRIAGE." A TRAILER WHICH EXCEEDS THE
27 MAXIMUM SIZE LIMITATIONS PRESCRIBED BY THIS TITLE FOR OPERATION
28 ON A HIGHWAY AND WHICH IS USED TO TRANSPORT A MODULAR HOUSING
29 UNIT.

30 * * *

1 SECTION 2. PARAGRAPH (10) OF SECTION 1102 OF TITLE 75 IS
2 AMENDED TO READ:

3 § 1102. VEHICLES NOT REQUIRING CERTIFICATE OF TITLE.

4 NO CERTIFICATE OF TITLE SHALL BE ISSUED FOR:

5 * * *

6 [(10) A MOBILE HOME.]

7 SECTION 3. PARAGRAPH (9) OF SUBSECTION (B) OF SECTION 1302
8 OF TITLE 75 IS AMENDED AND A PARAGRAPH IS ADDED TO READ:

9 § 1302. VEHICLES SUBJECT TO REGISTRATION.

10 * * *

11 (B) EXCEPTIONS.--SUBSECTION (A) DOES NOT APPLY TO THE
12 FOLLOWING:

13 * * *

14 (9) ANY MOBILE/MANUFACTURED HOME.

15 * * *

16 (12) ANY MODULAR HOUSING UNIT OR UNDERCARRIAGE.

17 * * *

18 SECTION 4. SUBSECTION (C) OF SECTION 1337 OF TITLE 75 IS
19 AMENDED BY ADDING A PARAGRAPH TO READ:

20 § 1337. USE OF "MISCELLANEOUS MOTOR VEHICLE BUSINESS"
21 REGISTRATION PLATES.

22 * * *

23 (C) CLASSES OF "MISCELLANEOUS MOTOR VEHICLE BUSINESS."--

24 * * *

25 (5) "MODULAR HOUSING TRANSPORTER." A PERSON ENGAGED IN
26 THE BUSINESS OF TRANSPORTING MODULAR HOUSING UNITS AND
27 UNDERCARRIAGES FROM POINT OF MANUFACTURE OR SALE TO FINAL
28 DESTINATION, AND RETURN.

29 SECTION 5. SECTION 1704 OF TITLE 75 IS REPEALED.

30 SECTION 6. SUBSECTION (A) OF SECTION 1742, SECTION 1746 AND

1 SUBSECTION (A) OF SECTION 1747 OF TITLE 75 ARE AMENDED TO READ:

2 ~~§ 1704. Transfer of suspended registration to evade chapter.~~ <—

3 ~~(a) General rule. If the registrations of any vehicles are~~
4 ~~suspended under this chapter, the registrations shall not be~~
5 ~~transferred, nor the vehicles registered in [any other name,]~~
6 ~~the name of the registrant's spouse, parent or child, until the~~
7 ~~department is satisfied that the transfer of registrations is~~
8 ~~proposed in good faith and not for the purpose or with the~~
9 ~~effect of defeating the purposes of this chapter.~~

10 * * *

11 § 1742. Suspension for nonpayment of judgments.

12 (a) General rule.--The department, upon receipt of a
13 certified copy of a judgment, shall suspend the operating
14 privilege of each [driver and registration of each owner] person
15 against whom the judgment was rendered except as otherwise
16 provided in this section and in section 1745 (relating to
17 installment payment of judgments).

18 * * *

19 § 1746. Proof of financial responsibility after suspension or
20 revocation.

21 Whenever the department suspends or revokes the operating
22 privilege of any person [upon receiving record of a conviction
23 or forfeiture of bail] pursuant to sections 1532(a) or (b)
24 (relating to revocation or suspension of operating privilege),
25 1542 (relating to revocation of habitual offender's license) or
26 1742 (relating to suspension for nonpayment of judgments), the
27 department shall not restore the operating privilege until the
28 person furnishes proof of financial responsibility.

29 § 1747. Providing financial responsibility.

30 (a) General rule.--Proof of financial responsibility may be

1 furnished by filing evidence satisfactory to the department that
2 all motor vehicles registered in a person's name are covered by
3 the insurance required in section 104 of the act of July 19,
4 1974 (P.L.489, No.176), known as the "Pennsylvania No-fault
5 Motor Vehicle Insurance Act," or[, if the person has no motor
6 vehicle, that the person is covered by a nonowner's policy
7 having the same limits of liability as are required in section
8 104 of that act] that a person does not own a motor vehicle.

9 * * *

10 SECTION 7. SECTION 4941 OF TITLE 75, AMENDED OCTOBER 10, <—
11 1980 (P.L.791, NO.147), IS AMENDED TO READ:

12 § 4941. MAXIMUM GROSS WEIGHT OF VEHICLES.

13 (A) GENERAL RULE.--NO VEHICLE SHALL, WHEN OPERATED UPON A
14 HIGHWAY, HAVE A GROSS WEIGHT EXCEEDING 73,280 POUNDS, AND NO
15 COMBINATION DRIVEN UPON A HIGHWAY SHALL HAVE A GROSS WEIGHT
16 EXCEEDING 80,000 POUNDS, OR THE APPLICABLE WEIGHT SET FORTH IN
17 SUBSECTION (B) OR (C), WHICHEVER IS LESS.

18 (B) COMBINATION OF VEHICLES.--NO COMBINATION SHALL, WHEN
19 OPERATED UPON A HIGHWAY, HAVE A GROSS WEIGHT EXCEEDING THE
20 FOLLOWING:

	MAXIMUM
COMBINATION OF VEHICLES	GROSS WEIGHT
	IN POUNDS
TWO-AXLE TRUCK TRACTOR & SINGLE-AXLE SEMITRAILER	58,400
TWO-AXLE TRUCK TRACTOR & TWO-AXLE SEMITRAILER	73,280
THREE-AXLE TRUCK TRACTOR & SINGLE-AXLE SEMITRAILER	73,280
TWO-AXLE TRUCK & TWO-AXLE TRAILER	73,280

28 (C) TRUCKS.--NO TRUCK WHEN OPERATED UPON A HIGHWAY SHALL
29 HAVE A GROSS WEIGHT EXCEEDING THE FOLLOWING:

30 MAXIMUM

GROSS WEIGHT

IN POUNDS

TWO-AXLE TRUCK 38,000

THREE-AXLE TRUCK 58,400

FOUR-AXLE TRUCK 73,280

(D) IN DETERMINING THE MAXIMUM GROSS WEIGHT OF VEHICLES OR COMBINATIONS, THERE SHALL BE A TOLERANCE ALLOWED OF 5% OF THE ACTUAL GROSS WEIGHT FOR CLASSES 1, 2, 3 AND 4 VEHICLES AND 3% OF THE ACTUAL GROSS WEIGHT FOR CLASS 5 AND ABOVE VEHICLES, THE VEHICLES AS CLASSIFIED BY SECTION 1916 (RELATING TO TRUCKS AND TRUCK TRACTORS).

SECTION 8. PARAGRAPH (4) OF SUBSECTION (A) OF SECTION 4961 OF TITLE 75 IS AMENDED AND A PARAGRAPH IS ADDED TO READ:

§ 4961. AUTHORITY TO ISSUE PERMITS.

(A) GENERAL RULE.--THE DEPARTMENT AND LOCAL AUTHORITIES WITH RESPECT TO HIGHWAYS UNDER THEIR RESPECTIVE JURISDICTIONS MAY, UPON APPLICATION IN WRITING SHOWING GOOD CAUSE, ISSUE SPECIAL PERMITS IN WRITING AUTHORIZING THE APPLICANT TO OPERATE OR MOVE ON SPECIFIED HIGHWAYS ANY OF THE FOLLOWING:

* * *

(4) A MOBILE/MANUFACTURED HOME.

(5) A MODULAR HOUSING UNIT AND UNDERCARRIAGE.

* * *

SECTION 9. SECTION 4968 OF TITLE 75 IS AMENDED TO READ:

§ 4968. PERMIT FOR MOVEMENT OF EQUIPMENT BEING MANUFACTURED.

AN ANNUAL PERMIT MAY BE ISSUED AUTHORIZING THE MANUFACTURER OF BOATS, MOBILE/MANUFACTURED HOMES, MODULAR HOUSING UNITS AND UNDERCARRIAGES, HELICOPTERS, RAILWAY EQUIPMENT AND RAILS OR OTHER ARTICLES OR COMBINATIONS NOT NORMALLY USED ON HIGHWAYS TO MOVE ARTICLES WHICH EXCEED THE MAXIMUM HEIGHT, WIDTH OR LENGTH

1 SPECIFIED IN SUBCHAPTER B (RELATING TO WIDTH, HEIGHT AND LENGTH)
2 WHILE THEY ARE IN THE COURSE OF MANUFACTURE AND WHILE THEY ARE
3 ENTIRELY WITHIN THE CONTROL OF THE MANUFACTURER AND NOT IN
4 TRANSIT FROM THE MANUFACTURER TO A PURCHASER OR DEALER. A PERMIT
5 SHALL NOT BE ISSUED FOR THE MOVEMENT OF ARTICLES UPON A FREEWAY.
6 ARTICLES NOT IN EXCESS OF TEN FEET IN WIDTH MAY BE MOVED UP TO
7 50 MILES ON A PERMIT. LARGER ARTICLES MAY BE MOVED NO FARTHER
8 THAN TEN MILES ON A PERMIT.

9 Section ~~2~~ 10. This act shall take effect immediately.

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