

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

SENATOR MANBECK, TRANSPORTATION, IN SENATE, AS AMENDED,
NOVEMBER 9, 1981

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, ~~further providing for~~ REPEALING provisions <—
3 prohibiting the transfer of registration to evade certain
4 financial responsibility requirements, further providing for
5 suspension for nonpayment of judgments, ~~repealing~~ FURTHER <—
6 PROVIDING FOR financial responsibility, and further providing
7 for mobile and manufactured housing.

8 The General Assembly of the Commonwealth of Pennsylvania

9 hereby enacts as follows:

10 Section 1. The definition of "mobile home" in section 102 of
11 Title 75, act of November 25, 1970 (P.L.707, No.230), known as
12 the Pennsylvania Consolidated Statutes, is amended and
13 definitions are added to read:

14 § 102. Definitions.

15 Subject to additional definitions contained in subsequent
16 provisions of this title which are applicable to specific
17 provisions of this title, the following words and phrases when
18 used in this title shall have, unless the context clearly
19 indicates otherwise, the meanings given to them in this section:

1 * * *

2 †"Mobile home." A trailer designed and used exclusively for <—
3 living quarters or commercial purposes which exceeds the maximum
4 size limitations prescribed by this title for operation on a
5 highway and is only incidentally operated on a highway.

6 [including a unit transported on a removable or nonremovable <—
7 frame designed so as to be assembled together with another unit
8 or units into a structure which is used exclusively for living
9 quarters, commonly known as a "modular unit."]

10 ~~"Mobile/manufactured home." A structure, transportable in <—~~
11 ~~one or more sections, which, in the traveling mode, is eight~~
12 ~~body feet or more in width or 40 body feet or more in length,~~
13 ~~or, when erected on site, is 320 or more square feet, and which~~
14 ~~is built on a permanent chassis and designed to be used as a~~
15 ~~dwelling with or without permanent foundation when connected to~~
16 ~~the required utilities, and includes plumbing, heating, air~~
17 ~~conditioning and electrical systems contained therein.~~

18 ~~"Modular housing unit." Any structure designed for~~
19 ~~residential or commercial occupancy which is wholly or in~~
20 ~~substantial part made, fabricated, formed or assembled in~~
21 ~~manufacturing facilities for assembly and installation on the~~
22 ~~building site.~~

23 ~~"Modular housing undercarriage." A trailer which exceeds the <—~~
24 ~~maximum size limitations prescribed by this title for operation~~
25 ~~on a highway and which is used to transport a modular housing~~
26 ~~unit.~~

27 ~~"MODULAR HOUSING UNIT." A UNIT TRANSPORTED ON A REMOVABLE OR <—~~
28 ~~NONREMOVABLE FRAME DESIGNED FOR RESIDENTIAL OR COMMERCIAL~~
29 ~~PURPOSES WHICH IS WHOLLY OR IN SUBSTANTIAL PART FABRICATED,~~
30 ~~FORMED OR ASSEMBLED IN MANUFACTURING FACILITIES FOR ASSEMBLY AND~~

1 INSTALLATION ON THE BUILDING SITE.

2 * * *

3 Section 2. Paragraph (10) of section 1102 of Title 75 is
4 amended to read:

5 § 1102. Vehicles not requiring certificate of title.

6 No certificate of title shall be issued for:

7 * * *

8 [(10) A mobile home.]

9 Section 3. Paragraph (9) of subsection ~~(b)~~ (A) of section
10 1302 of Title 75 is amended and a paragraph is added to read:

11 § 1302. Vehicles ~~subject to~~ EXEMPT FROM registration.

12 * * *

13 ~~(b) Exceptions. Subsection (a) does not apply to the~~
14 ~~following:~~

15 (A) GENERAL RULE.--THE FOLLOWING TYPES OF VEHICLES ARE
16 EXEMPT FROM REGISTRATION:

17 * * *

18 ~~(9) Any mobile/manufactured home.~~

19 * * *

20 ~~(12) Any modular housing unit or undercarriage.~~

21 * * *

22 ~~Section 4. Subsection (c) of section 1337 of Title 75 is~~
23 ~~amended by adding a paragraph to read:~~

24 ~~§ 1337. Use of "Miscellaneous Motor Vehicle Business"~~

25 ~~—registration plates.~~

26 * * *

27 ~~(c) Classes of "Miscellaneous Motor Vehicle Business."~~

28 * * *

29 ~~(5) "Modular housing transporter." A person engaged in~~
30 ~~the business of transporting modular housing units and~~

~~undercarriages from point of manufacture or sale to final destination, and return.~~

(9) ANY MOBILE HOME OR MODULAR HOUSING UNIT.

* * *

(12) ANY MILITARY VEHICLE USED FOR TRAINING BY A PRIVATE NONPROFIT, TAX EXEMPT MILITARY EDUCATIONAL INSTITUTION WHEN SUCH VEHICLE DOES NOT TRAVEL ON PUBLIC ROADS IN EXCESS OF ONE MILE AND THE PROPERTY ON BOTH SIDES OF THE PUBLIC ROAD IS OWNED BY THE INSTITUTION.

* * *

SECTION 4. SECTION 1335 OF TITLE 75 IS AMENDED BY ADDING A SUBSECTION TO READ:

§ 1335. REGISTRATION PLATES FOR MANUFACTURERS AND DEALERS.

* * *

(D) FOR THE PURPOSES OF THIS SECTION, NO MODULAR HOUSING MANUFACTURER SHALL BE REQUIRED TO BE LICENSED BY THE STATE BOARD OF MOTOR VEHICLE MANUFACTURERS, DEALERS AND SALESMEN OF THE DEPARTMENT OF STATE IN ORDER TO RECEIVE REGISTRATION PLATES.

Section 5. Section 1704 of Title 75 is repealed.

Section 6. Subsection (a) of section 1742, section 1746 and subsection (a) of section 1747 of Title 75 are amended to read:

§ 1742. Suspension for nonpayment of judgments.

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

* * *

§ 1746. Proof of financial responsibility after suspension or

1 revocation.

2 Whenever the department suspends or revokes the operating
3 privilege of any person [upon receiving record of a conviction
4 or forfeiture of bail] pursuant to sections 1532(a) or (b)
5 (relating to revocation or suspension of operating privilege),
6 1542 (relating to revocation of habitual offender's license) or
7 1742 (relating to suspension for nonpayment of judgments), the
8 department shall not restore the operating privilege until the
9 person furnishes proof of financial responsibility.

10 § 1747. Providing financial responsibility.

11 (a) General rule.--Proof of financial responsibility may be
12 furnished by filing evidence satisfactory to the department that
13 all motor vehicles registered in a person's name are covered by
14 the insurance required in section 104 of the act of July 19,
15 1974 (P.L.489, No.176), known as the "Pennsylvania No-fault
16 Motor Vehicle Insurance Act," or[, if the person has no motor
17 vehicle, that the person is covered by a nonowner's policy
18 having the same limits of liability as are required in section
19 104 of that act] that a person does not own a motor vehicle.

20 * * *

21 ~~Section 7. Paragraph (4) of subsection (a) of section 4961~~ <—
22 ~~of Title 75 is amended and a paragraph is added to read:~~

23 SECTION 7. PARAGRAPH (2) OF SECTION 1902 OF TITLE 75 IS <—
24 AMENDED TO READ:

25 § 1902. EXEMPTIONS FROM OTHER FEES.

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

28 * * *

29 (2) THE REPLACEMENT OF A REGISTRATION CARD OR PLATE,
30 DRIVER'S LICENSE, LEARNER'S PERMIT OR CERTIFICATE OF TITLE

1 LOST IN THE MAIL IF THE APPLICANT FILES AN AFFIDAVIT OF
2 NONRECEIPT WITHIN [45] 90 DAYS OF THE DATE OF ORIGINAL
3 ISSUANCE.

4 * * *

5 SECTION 8. SECTION 1944 OF TITLE 75 IS AMENDED TO READ:

6 § 1944. MOBILE HOMES MODULAR HOUSING UNITS AND [SIMILAR]
7 TRAILERS.

8 THE FEE FOR A SPECIAL HAULING PERMIT FOR A MOBILE HOME [OR
9 SIMILAR TRAILER] MODULAR HOUSING UNIT OR TRAILER WHICH EXCEEDS
10 THE MAXIMUM SIZE PRESCRIBED IN THIS TITLE SHALL BE \$20.

11 SECTION 9. SUBSECTION (B) OF SECTION 4703 OF TITLE 75 IS
12 AMENDED BY ADDING A PARAGRAPH TO READ:

13 § 4703. OPERATION OF VEHICLE WITHOUT OFFICIAL CERTIFICATE OF
14 INSPECTION.

15 * * *

16 (B) EXCEPTIONS.--SUBSECTION (A) DOES NOT APPLY TO:

17 * * *

18 (9) ANY MILITARY VEHICLE USED FOR TRAINING BY A PRIVATE,
19 NONPROFIT, TAX EXEMPT MILITARY EDUCATIONAL INSTITUTION WHEN
20 SUCH VEHICLE DOES NOT TRAVEL ON PUBLIC ROADS IN EXCESS OF ONE
21 MILE AND THE PROPERTY ON BOTH SIDES OF THE PUBLIC ROAD IS
22 OWNED BY THE INSTITUTION.

23 * * *

24 SECTION 10. SECTION 4921(B)(2) OF TITLE 75 IS AMENDED TO
25 READ:

26 § 4921. WIDTH OF VEHICLES.

27 * * *

28 (B) SPECIAL VEHICLES.--

29 * * *

30 (2) ANY IMPLEMENT OF HUSBANDRY NOT EXCEEDING 14 FEET 6

1 INCHES IN WIDTH MAY BE DRIVEN, HAULED OR TOWED BETWEEN
2 SUNRISE AND SUNSET ON HIGHWAYS OTHER THAN FREEWAYS BETWEEN:

3 (I) PARTS OF ONE FARM OWNED OR OPERATED BY THE OWNER
4 OF THE IMPLEMENT OF HUSBANDRY.

5 (II) FARMS OWNED OR OPERATED BY THE OWNER OF THE
6 IMPLEMENT OF HUSBANDRY LOCATED NOT MORE THAN 25 MILES
7 APART.

8 (III) (A) FARMS; OR

9 (B) A FARM AND A PLACE OF BUSINESS OF A MECHANIC
10 OR DEALER IN IMPLEMENTS OF HUSBANDRY;
11 LOCATED NOT MORE THAN [50] 100 MILES [APART] AWAY FOR THE
12 PURPOSE OF BUYING, SELLING, TRADING, LOANING AND LEASING,
13 DEMONSTRATING, REPAIRING OR SERVICING THE IMPLEMENT OF
14 HUSBANDRY.

15 * * *

16 SECTION 11. SECTION 4961 OF TITLE 75 IS AMENDED BY ADDING A
17 PARAGRAPH TO READ:

18 § 4961. Authority to issue permits.

19 (a) General rule.--The department and local authorities with
20 respect to highways under their respective jurisdictions may,
21 upon application in writing showing good cause, issue special
22 permits in writing authorizing the applicant to operate or move
23 on specified highways any of the following:

24 * * *

25 ~~(4) A mobile/manufactured home.~~ <—

26 (5) A modular housing unit and undercarriage.

27 * * *

28 Section 8 12. Section 4968 of Title 75 is amended to read: <—

29 § 4968. Permit for movement of equipment being manufactured.

30 An annual permit may be issued authorizing the manufacturer

1 of boats, mobile/~~manufactured~~ homes, modular housing units and <—
2 undercarriages, helicopters, railway equipment and rails or
3 other articles or combinations not normally used on highways to
4 move articles which exceed the maximum height, width or length
5 specified in Subchapter B (relating to width, height and length)
6 while they are in the course of manufacture and while they are
7 entirely within the control of the manufacturer and not in
8 transit from the manufacturer to a purchaser or dealer. A permit
9 shall not be issued for the movement of articles upon a freeway.
10 Articles not in excess of ten feet in width may be moved up to
11 50 miles on a permit. Larger articles may be moved no farther
12 than ten miles on a permit.

13 Section 9 13. This act shall take effect immediately. <—