

---

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, RE-REPORTED AS  
AMENDED, JANUARY 18, 1982

---

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 REGISTRATION, FURTHER PROVIDING for suspension for nonpayment <—  
6 of judgments, ~~repealing~~ FURTHER PROVIDING FOR financial <—  
7 responsibility, and further providing for mobile and  
8 ~~manufactured~~ MODULAR housing. <—

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

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

15 § 102. Definitions.

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

1 indicates otherwise, the meanings given to them in this section:

2 \* \* \*

3 †"Mobile home." A trailer designed and used exclusively for <—  
4 living quarters or commercial purposes which exceeds the maximum  
5 size limitations prescribed by this title for operation on a  
6 highway and is only incidentally operated on a highway. [, <—  
7 including a unit transported on a removable or nonremovable  
8 frame designed so as to be assembled together with another unit  
9 or units into a structure which is used exclusively for living  
10 quarters, commonly known as a "modular unit."]

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

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

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

28 "MODULAR HOUSING UNIT." A UNIT TRANSPORTED ON A REMOVABLE OR <—  
29 NONREMOVABLE FRAME DESIGNED FOR RESIDENTIAL OR COMMERCIAL  
30 PURPOSES WHICH IS WHOLLY OR IN SUBSTANTIAL PART FABRICATED,

1 FORMED OR ASSEMBLED IN MANUFACTURING FACILITIES FOR ASSEMBLY AND  
2 INSTALLATION ON THE BUILDING SITE.

3 \* \* \*

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

6 § 1102. Vehicles not requiring certificate of title.

7 No certificate of title [shall be issued] IS REQUIRED for: <—

8 \* \* \*

9 [(10) A mobile home.]

10 Section 3. Paragraph (9) of subsection ~~(b)~~ (A) of section <—  
11 1302 of Title 75 is amended and a paragraph is added to read:

12 § 1302. Vehicles ~~subject to~~ EXEMPT FROM registration. <—

13 ~~\* \* \*~~ <—

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

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

18 \* \* \*

19 ~~(9) Any mobile/manufactured home.~~ <—

20 ~~\* \* \*~~

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

22 ~~\* \* \*~~

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

25 ~~§ 1337. Use of "Miscellaneous Motor Vehicle Business"~~

26 ~~—registration plates.~~

27 ~~\* \* \*~~

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

29 ~~\* \* \*~~

30 ~~(5) "Modular housing transporter." A person engaged in~~

~~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 1303(C) OF TITLE 75 IS AMENDED TO READ: <—

§ 1303. VEHICLES OF NONRESIDENTS EXEMPT FROM REGISTRATION.

\* \* \*

(C) CARRYING ON BUSINESS IN THIS COMMONWEALTH.--EVERY  
NONRESIDENT, INCLUDING ANY FOREIGN CORPORATION, CARRYING ON  
BUSINESS WITHIN THIS COMMONWEALTH AND OPERATING IN THE BUSINESS  
ANY VEHICLE WITHIN THIS COMMONWEALTH, UNLESS EXEMPTED FROM  
REGISTRATION UNDER THE TERMS OF A RECIPROCITY AGREEMENT, SHALL  
BE REQUIRED TO REGISTER EACH SUCH VEHICLE ACCORDING TO THE LAWS  
OF THIS COMMONWEALTH. A FOREIGN CORPORATION HAVING ITS PRINCIPAL  
PLACE OF BUSINESS IN THIS COMMONWEALTH IS REGARDED AS A RESIDENT  
OF THIS COMMONWEALTH FOR THE PURPOSES OF THIS SECTION.

\* \* \*

SECTION 4 5. SECTION 1335 OF TITLE 75 IS AMENDED BY ADDING A <—  
SUBSECTION TO READ:

§ 1335. REGISTRATION PLATES FOR MANUFACTURERS AND DEALERS.

\* \* \*

(D) MODULAR HOUSING MANUFACTURERS.--FOR THE PURPOSES OF THIS <—  
SECTION, NO MODULAR HOUSING MANUFACTURER SHALL BE REQUIRED TO BE

1 LICENSED BY THE STATE BOARD OF MOTOR VEHICLE MANUFACTURERS,  
2 DEALERS AND SALESMEN OF THE DEPARTMENT OF STATE IN ORDER TO  
3 RECEIVE REGISTRATION PLATES.

4 Section ~~5~~ 6. Section 1704 of Title 75 is repealed. <—

5 Section ~~6~~. ~~Subsection (a) of section 7.~~ SECTION 1742, <—  
6 SECTION 1743, SUBSECTIONS (B) AND (C) OF SECTION 1745, section <—  
7 1746 and ~~subsection (a)~~ SUBSECTIONS (A) AND (B) of section 1747 <—  
8 of Title 75 are amended to read:

9 § 1742. Suspension for nonpayment of judgments.

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

16 \* \* \* <—

17 (B) NONSUSPENSION WITH CONSENT OF JUDGMENT CREDITOR.--IF THE <—  
18 JUDGMENT CREDITOR CONSENTS IN WRITING, IN SUCH FORM AS THE  
19 DEPARTMENT MAY PRESCRIBE, THAT THE JUDGMENT DEBTOR'S OPERATING  
20 PRIVILEGE [AND REGISTRATIONS] BE RETAINED OR RESTORED, THE  
21 DEPARTMENT SHALL NOT SUSPEND OR SHALL RESTORE UNTIL THE CONSENT  
22 IS REVOKED IN WRITING, NOTWITHSTANDING DEFAULT IN THE PAYMENT OF  
23 THE JUDGMENT, OR OF ANY INSTALLMENT THEREOF PRESCRIBED IN  
24 SECTION 1745, PROVIDED THE JUDGMENT DEBTOR FURNISHES PROOF OF  
25 FINANCIAL RESPONSIBILITY.

26 (C) INSURANCE IN EFFECT AT TIME OF ACCIDENT.--ANY PERSON  
27 WHOSE OPERATING PRIVILEGE [OR REGISTRATIONS HAVE] HAS BEEN  
28 SUSPENDED, OR [ARE] IS ABOUT TO BE SUSPENDED OR BECOME SUBJECT  
29 TO SUSPENSION, UNDER THE PROVISIONS OF THIS CHAPTER, SHALL BE  
30 RELIEVED FROM THE EFFECT OF THE JUDGMENT AS PRESCRIBED IN THIS

1 CHAPTER IF THE PERSON FILES EVIDENCE SATISFACTORY TO THE  
2 DEPARTMENT THAT THE INSURANCE REQUIRED BY SECTION 104(A) OF THE  
3 "PENNSYLVANIA NO-FAULT MOTOR VEHICLE INSURANCE ACT," WAS IN  
4 FORCE AND EFFECT AT THE TIME OF THE ACCIDENT RESULTING IN THE  
5 JUDGMENT AND IS OR SHOULD BE AVAILABLE FOR THE SATISFACTION OF  
6 THE JUDGMENT. IF THE REQUIRED INSURANCE IS NOT AVAILABLE BECAUSE  
7 THE INSURANCE COMPANY HAS GONE INTO RECEIVERSHIP OR BANKRUPTCY,  
8 THE PERSON SHALL ONLY BE REQUIRED TO PRESENT TO OR FILE WITH THE  
9 DEPARTMENT PROPER EVIDENCE THAT AN INSURANCE POLICY WAS IN FORCE  
10 AND EFFECT AT THE TIME OF THE ACCIDENT.

11 § 1743. CONTINUATION OF SUSPENSION UNTIL JUDGMENTS PAID AND  
12 PROOF GIVEN.

13 A PERSON'S OPERATING PRIVILEGE [AND ALL REGISTRATIONS] SHALL  
14 REMAIN SUSPENDED AND SHALL NOT BE RENEWED [NOR SHALL ANY  
15 REGISTRATION BE THEREAFTER ISSUED] IN THE NAME OF SUCH PERSON  
16 UNLESS AND UNTIL EVERY SUCH JUDGMENT IS STAYED, SATISFIED IN  
17 FULL OR TO THE EXTENT PROVIDED IN THIS SUBCHAPTER, AND UNTIL THE  
18 PERSON FURNISHES PROOF OF FINANCIAL RESPONSIBILITY AS REQUIRED.

19 § 1745. INSTALLMENT PAYMENT OF JUDGMENTS.

20 \* \* \*

21 (B) SUSPENSION PROHIBITED DURING COMPLIANCE WITH ORDER.--THE  
22 DEPARTMENT SHALL NOT SUSPEND A DRIVER'S OPERATING PRIVILEGE [OR  
23 REGISTRATIONS] AND SHALL RESTORE ANY OPERATING PRIVILEGE [OR  
24 REGISTRATION] SUSPENDED FOLLOWING NONPAYMENT OF A JUDGMENT WHEN  
25 THE JUDGMENT DEBTOR OBTAINS AN ORDER PERMITTING PAYMENT OF THE  
26 JUDGMENT IN INSTALLMENTS AND WHILE THE PAYMENT OF ANY  
27 INSTALLMENT IS NOT IN DEFAULT, PROVIDED THAT THE JUDGMENT DEBTOR  
28 FURNISHES PROOF OF FINANCIAL RESPONSIBILITY.

29 (C) SUSPENSION FOR DEFAULT IN PAYMENT.--IN THE EVENT THE  
30 JUDGMENT DEBTOR FAILS TO PAY ANY INSTALLMENT AS SPECIFIED BY THE

1 ORDER, THEN, UPON NOTICE OF THE DEFAULT, THE DEPARTMENT SHALL  
2 SUSPEND THE OPERATING PRIVILEGE [AND ALL REGISTRATIONS] OF THE  
3 JUDGMENT DEBTOR UNTIL THE JUDGMENT IS SATISFIED AS PROVIDED IN  
4 THIS CHAPTER.

5 § 1746. Proof of financial responsibility after suspension or  
6 revocation.

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

16 § 1747. Providing financial responsibility.

17 (a) General rule.--Proof of financial responsibility may be  
18 furnished by filing evidence satisfactory to the department that  
19 all motor vehicles registered in a person's name are covered by  
20 the insurance required in section 104 of the act of July 19,  
21 1974 (P.L.489, No.176), known as the "Pennsylvania No-fault  
22 Motor Vehicle Insurance Act," or[, if the person has no motor  
23 vehicle, that the person is covered by a nonowner's policy  
24 having the same limits of liability as are required in section  
25 104 of that act.] that a person does not own a motor vehicle.

26 \* \* \*

27 (B) NONRESIDENT.--THE NONRESIDENT OWNER OF A MOTOR VEHICLE ←  
28 NOT REGISTERED IN THIS COMMONWEALTH MAY GIVE PROOF OF FINANCIAL  
29 RESPONSIBILITY BY FILING WITH THE DEPARTMENT A WRITTEN  
30 CERTIFICATE OR CERTIFICATES OF AN INSURANCE CARRIER AUTHORIZED

1 TO TRANSACT BUSINESS IN THE STATE IN WHICH THE MOTOR VEHICLE OR  
2 MOTOR VEHICLES DESCRIBED IN THE CERTIFICATE IS REGISTERED OR, IF  
3 THE NONRESIDENT DOES NOT OWN A MOTOR VEHICLE, THEN [IN THE STATE  
4 IN WHICH THE INSURED RESIDES, PROVIDED THE CERTIFICATE OTHERWISE  
5 CONFORMS TO THE PROVISIONS OF THIS CHAPTER, AND THE] EVIDENCE  
6 SATISFACTORY TO THE DEPARTMENT THAT THE PERSON DOES NOT OWN A  
7 MOTOR VEHICLE. THE DEPARTMENT SHALL ACCEPT THE CERTIFICATE UPON  
8 CONDITION THAT THE INSURANCE CARRIER COMPLIES WITH THE FOLLOWING  
9 PROVISIONS WITH RESPECT TO THE POLICIES SO CERTIFIED:

10 (1) THE INSURANCE CARRIER SHALL EXECUTE A POWER OF  
11 ATTORNEY AUTHORIZING THE DEPARTMENT TO ACCEPT SERVICE ON ITS  
12 BEHALF OR PROCESS IN ANY ACTION ARISING OUT OF A MOTOR  
13 VEHICLE ACCIDENT IN THIS COMMONWEALTH.

14 (2) THE INSURANCE CARRIER SHALL AGREE IN WRITING THAT  
15 THE POLICIES SHALL BE DEEMED TO CONFORM WITH THE LAWS OF THIS  
16 COMMONWEALTH RELATING TO THE TERMS OF MOTOR VEHICLE LIABILITY  
17 POLICIES ISSUED IN THIS COMMONWEALTH.

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

20 SECTION 7 8. PARAGRAPH (2) OF SECTION 1902 OF TITLE 75 IS <—  
21 AMENDED TO READ:

22 § 1902. EXEMPTIONS FROM OTHER FEES.

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

25 \* \* \*

26 (2) THE REPLACEMENT OF A REGISTRATION CARD OR PLATE,  
27 DRIVER'S LICENSE, LEARNER'S PERMIT OR CERTIFICATE OF TITLE  
28 LOST IN THE MAIL IF THE APPLICANT FILES AN AFFIDAVIT OF  
29 NONRECEIPT WITHIN [45] 90 DAYS OF THE DATE OF ORIGINAL  
30 ISSUANCE.

1 \* \* \*

2 SECTION ~~8~~ 9. SECTION 1944 OF TITLE 75 IS AMENDED TO READ: <—

3 § 1944. MOBILE HOMES, MODULAR HOUSING UNITS AND [SIMILAR] <—

4 TRAILERS] MODULAR HOUSING UNDERCARRIAGES. <—

5 The fee for a special hauling permit for a mobile home [or  
6 similar trailer], modular housing unit or trailer MODULAR <—

7 HOUSING UNIT UNDERCARRIAGE WHICH EXCEEDS THE MAXIMUM SIZE

8 PRESCRIBED IN THIS TITLE SHALL BE \$20.

9 SECTION ~~9~~ 10. SUBSECTION (B) OF SECTION 4703 OF TITLE 75 IS <—

10 AMENDED BY ADDING A PARAGRAPH TO READ:

11 § 4703. OPERATION OF VEHICLE WITHOUT OFFICIAL CERTIFICATE OF  
12 INSPECTION.

13 \* \* \*

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

15 \* \* \*

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

21 \* \* \*

22 SECTION ~~10~~ 11. SECTION 4921(B)(2) OF TITLE 75 IS AMENDED TO <—

23 READ:

24 § 4921. WIDTH OF VEHICLES.

25 \* \* \*

26 (B) SPECIAL VEHICLES.--

27 \* \* \*

28 (2) ANY IMPLEMENT OF HUSBANDRY NOT EXCEEDING 14 FEET 6  
29 INCHES IN WIDTH MAY BE DRIVEN, HAULED OR TOWED BETWEEN  
30 SUNRISE AND SUNSET ON HIGHWAYS OTHER THAN FREEWAYS BETWEEN:

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

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

6 (III) (A) FARMS; OR

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

13 \* \* \*

14 SECTION ~~11~~ 12. SECTION 4961 OF TITLE 75 IS AMENDED BY ADDING <—  
15 A PARAGRAPH TO READ:

16 § 4961. Authority to issue permits.

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

22 \* \* \*

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

24 (5) A modular housing unit and undercarriage WHICH <—  
25 EXCEEDS THE MAXIMUM SIZE PRESCRIBED IN THIS TITLE.

26 (6) A MODULAR HOUSING UNIT UNDERCARRIAGE WHICH EXCEEDS  
27 THE MAXIMUM SIZE PRESCRIBED IN THIS TITLE.

28 \* \* \*

29 Section ~~8-12~~ 13. Section 4968 of Title 75 is amended to <—  
30 read:

1 § 4968. Permit for movement of equipment being manufactured.

2 An annual permit may be issued authorizing the manufacturer  
3 of boats, mobile/~~manufactured~~ homes, modular housing units and ←  
4 undercarriages, helicopters, railway equipment and rails or  
5 other articles or combinations not normally used on highways to  
6 move articles which exceed the maximum height, width or length  
7 specified in Subchapter B (relating to width, height and length)  
8 while they are in the course of manufacture and while they are  
9 entirely within the control of the manufacturer and not in  
10 transit from the manufacturer to a purchaser or dealer. A permit  
11 shall not be issued for the movement of articles upon a freeway.  
12 Articles not in excess of ten feet in width may be moved up to  
13 50 miles on a permit. Larger articles may be moved no farther  
14 than ten miles on a permit.

15 Section ~~9-13~~ 14. This act shall take effect immediately. ←